

The Assembly met at 1:30 p.m.

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. Osika: — Thank you, Mr. Speaker. I have a petition on behalf of people of Saskatchewan concerned about the closure of the Plains Health Centre. The prayer reads:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

And the signatures, besides being from Regina, are also from Earl Grey, Govan, and other small communities from throughout southern Saskatchewan.

Mr. Bjornerud: — Thank you, Mr. Speaker. I'd also like to present petitions of names from throughout Saskatchewan regarding the closure of the Plains Health Centre. The prayer reads:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains.

The communities that people have signed from are mostly from Stockholm, Spy Hill, Esterhazy, and Gerald, Mr. Speaker.

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, I too rise today to present petitions of names from throughout Saskatchewan regarding the Plains Health Centre closure. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The people that have signed these petitions, Mr. Speaker, are from Esterhazy, Whitewood, Stockholm, Regina, Churchbridge, and throughout the province. I so present.

Mr. Gantefoer: — Thank you, Mr. Speaker. I rise as well on behalf of citizens concerned about the impending closure of the Plains Health Centre. The prayer reads as follows:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

Signatures from this petition, Mr. Speaker, are all from the city of Regina.

Ms. Draude: — Thank you, Mr. Speaker. I also rise today to present petitions of names from people throughout Saskatchewan regarding the Plains Health Centre. The prayer reads as follow, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The people that have signed this petition, Mr. Speaker, are from Pilot Butte, White City, Balgonie, Yorkton, and Regina. Thank you very much.

Mr. McLane: — Thank you, Mr. Speaker. I rise again today to present a petition of names of from people throughout southern Saskatchewan regarding the Plains Health Centre. And the prayer reads as follows:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider the decision to close the Plains Health Centre.

Mr. Speaker, this petition has been signed by concerned citizens from Kipling, from Kenosee Lake, Carlyle, Estevan, Wawota, Creelman, Kennedy, Broadview, Langbank, Indian Head, Fort Qu'Appelle, and McLean.

Mr. Aldridge: — Thank you, Mr. Speaker. I too rise to present petitions of names of Saskatchewan people with respect to the Plains Health Centre. And the prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

And those who have signed this petition, Mr. Speaker, are from the communities of Weyburn, Moose Jaw, and the city of Regina.

Mr. Belanger: — Thank you, Mr. Speaker. I once again rise today to present petitions of names from throughout Saskatchewan regarding the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The people that have signed the petition, Mr. Speaker, are primarily from the city of Regina, and I so present.

Mr. McPherson: — Thank you, Mr. Speaker. I rise with my colleagues in presenting petitions today on behalf of the people of Saskatchewan in their efforts to save the Plains Health Centre here in Regina. The prayer reads as follows:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

And it would appear, Mr. Speaker, that the majority of the people that have signed the petition are from Crane Valley and the Assiniboia districts. I so present.

READING AND RECEIVING PETITIONS

Clerk: — According to order, petitions regarding the closure of the Plains Health Centre have been reviewed, and pursuant to rule 12(7) they are hereby read and received.

PRESENTING REPORTS BY STANDING, SELECT, AND SPECIAL COMMITTEES

Standing Committee on Estimates

Deputy Clerk: — Ms. Hamilton, Chair of the Standing Committee on Estimates, presents the first report of the said committee which is as follows:

Your committee considered estimates for the Provincial Auditor and adopted the following resolutions:

Main estimates, 1996-97:

1. Resolved, that there be granted to Her Majesty for the 12 months ending March 31, 1997, the following sums:

For Provincial Auditor\$4.288 million.

2. Resolved, that towards making good the supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending March 31, 1997, the sum of \$3.216 million be granted out of the General Revenue Fund.

Your committee considered estimates of the Legislative Assembly and adopted the following resolutions:

Main estimates, 1996-97:

1. Resolved, that there be granted to Her Majesty for the 12 months ending March 31, 1997 the following sum:

For legislation\$4.853 million.

2. Resolved, that towards making good the supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending March 31, 1997, the sum of \$3.64 million be granted out of the General Revenue Fund.

Your committee recommends that upon concurrence of its report by the Assembly, the sums as reported and approved shall be included in the next Appropriation Bill for consideration by the Legislative Assembly.

Signed, Doreen E. Hamilton, Chair

Ms. Hamilton: — Thank you, Mr. Speaker. I would like to move by myself, seconded by the member from Kelvington-Wadena:

That the first report of the Standing Committee on Estimates be now concurred in.

Motion agreed to.

INTRODUCTION OF GUESTS

Hon. Ms. MacKinnon: — Thank you, Mr. Speaker. Mr. Speaker, it is my pleasure to introduce to you and through you to all members of the Legislative Assembly, special visitors to our gallery from Switzerland. His Excellency Daniel Dayer, Ambassador of Switzerland — would you rise, please — and Mrs. Dayer. Mr. Claude Duboulet, Consul General of Switzerland, and Mrs. Marie-Louise Duboulet.

The province of Saskatchewan has many business, governmental, and trade relationships with Switzerland. His Excellency and the Consul General have been in Saskatchewan meeting with their country's various trade and industry partners.

This morning His Excellency and Mr. Duboulet met with the Speaker, the Lieutenant Governor, and the Minister of Intergovernmental Affairs. I hosted a luncheon for them today on behalf of the Government of Saskatchewan. We had a wonderful time — amongst other things, talking about fishing in northern Saskatchewan and sharing some fish stories.

Following their visit to our gallery today, they will meet with officials of Economic Development, Tourism Saskatchewan, and the Regina Chamber of Commerce. Tomorrow they will visit and tour the University of Regina.

Mr. Speaker, I ask all members to join with me in warmly welcoming our special guests from Switzerland.

Hon. Members: Hear, hear!

Mr. Osika: — Mr. Speaker, by your leave, and on behalf of Her Majesty's Official Opposition, I would like to add my words of welcome to our very special guests, along with the Minister of Finance. Please enjoy our great province and enjoy our company and hospitality here in our legislature. Thank you for being with us. Thank you.

Hon. Members: Hear, hear!

Mr. Goohsen: — Thank you, Mr. Speaker. On behalf of our caucus — and we would indicate to you, the official alternative for the next government — we would like to also join in welcoming the delegation from Switzerland, the Ambassador and his wife, and those people that are with them.

It is with great pleasure that I do welcome you here to our country. I have been in your country. My wife has relatives and friends in your country and we've been there. It is a beautiful place and I would recommend it to anyone who ever wants to go there, to either visit or to do business. We certainly enjoyed our time there and we hope that you will enjoy your time here in Saskatchewan as much as we have enjoyed your country. We have a lot to offer here; it's just a little further apart. So welcome.

Hon. Members: Hear, hear!

Ms. Hamilton: — Thank you, Mr. Speaker. I would like to introduce to you and through you, some students who I know will go home with great stories to tell of their visit to the legislature and sharing the gallery with such honoured guests from Switzerland.

We have a group who I'm welcoming today on behalf of the hon. member from Regina Dewdney. They're 27 grade 5 and 6 students, seated in the right portion of the Speaker's gallery, from Stewart Russell School of Regina. They're accompanied by their teacher, Mrs. Campbell.

I'm going to be meeting with them following their time here in the gallery and ask all members in joining me in giving them a warm welcome today.

Hon. Members: Hear, hear!

Ms. Bradley: — Thank you, Mr. Speaker. I'm so very pleased today to be able to introduce to you and through you to all members of the legislature, a young group from Weyburn Junior High, a Red Cross youth group that are seated in your gallery, Mr. Speaker.

This is a group that I spoke of here in a private member's statement just a short few weeks ago about the wonderful activities that they're doing in their community and throughout the province in their Red Cross activities. They hosted a 100th anniversary celebration of the Red Cross in Weyburn and I was able to attend.

And I'm so very pleased that they're here today to see some of the democratic process that we do in this legislature. I'll be meeting with them for drinks and pictures afterwards and some discussion.

They're accompanied today with their teacher, Judy Buzowetsky, and the chaperon, Wayne Wheeler. Judy is an extraordinary teacher and volunteer . . . well with the Red Cross but also with a number of cultural activities also in the community.

I'd just like everyone to join me in a very warm welcome to this outstanding group of youth from Weyburn, and join with me.

Hon. Members: Hear, hear!

Hon. Ms. Atkinson: — Thank you very much, Mr. Speaker. Mr. Speaker, I'd like to introduce a group of 41 grade 7 and 8 students from Queen Elizabeth School in the constituency that I represent, Saskatoon Nutana.

They're seated in your west gallery and they're accompanied by their teachers, Mr. Cherkewich, Mr. Gibault, Mrs. Barks, and Mr. Carleton. The students also have along with them today chaperons, Mrs. Wall, Mrs. Hockey, and Mrs. Thomas.

Mr. Speaker, I'll be meeting with these students at 2:30 for drinks and photos and I would ask all members in the legislature to join me in welcoming these young people to the Legislative Assembly.

Hon. Members: Hear, hear!

Ms. Murray: — Thank you, Mr. Speaker. It's a great pleasure for me to introduce to you and through you to my colleagues in the legislature, a group of students on behalf of my colleague, the MLA (Member of the Legislative Assembly) from Indian Head-Milestone, 18 students from Odessa School in Odessa, Saskatchewan.

They are seated in your gallery, Mr. Speaker, and they are from grade 7 and 8. They are accompanied by their teacher, Lloyd Posnikoff, and chaperons, Sharon Posnikoff, Connie Seitz, Annette Gaetz, and Brenda Schneider. They also have with them their bus driver, Faye Pearson.

They are going to be having a tour shortly, after they spend some time here, and I look forward to meeting with them to share a drink and also answer any questions they might have. So please join me in extending to them a warm welcome. Thank you.

Hon. Members: Hear, hear!

Hon. Mr. Cline: — Thank you, Mr. Speaker. I'd like to introduce to you and through you to other members of the Assembly, Mr. Bob Borreson, who is seated in your gallery. I'd ask him to stand, please.

And Mr. Borreson is a graduate of the University of Saskatchewan but is a civil servant with the Government of Alberta and is here spending some time talking to Social Services officials as well as getting some information from officials at the Department of Health. And I know all members will want to join with me in welcoming Mr. Borreson to Regina.

Hon. Members: Hear, hear!

STATEMENTS BY MEMBERS

Humboldt Wildlife Refuge

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, I would like to commend a Humboldt family for their donation of a parcel of land for wildlife refuge. Henry and Cheryl Kloppenburg have donated 159 acres of land to be designated as the Kloppenburg Wildlife Refuge.

The Kloppenburgs say they are donating the land so that it remains as a natural area and home to the plants and animals native to that area for ever.

They are dedicating the refuge in honour of Henry J. Kloppenburg Sr., who first settled the land.

I would like to commend the family for their generous donation and for their efforts to conserve the natural plant and wildlife in the Humboldt area for future generations. Thank you.

Some Hon. Members: Hear, hear!

Investment Dealers Association of Canada Report on Saskatchewan

Mr. Sonntag: — Mr. Speaker, I have some very good news, and contrary to what some members may now be thinking, this is unrelated to my personal life.

It's about another day of good economic news. Fast on the heels of a major credit upgrade for Saskatchewan comes a glowing report card from the Investment Dealers Association of Canada. The association's spokesperson, Ian Russell, is quoted as saying:

It's very clear that the province has made significant progress in addressing the very serious fiscal situation it faced in 1991. It's a massive turnaround.

He also praised the government's policy of targeted tax reductions for manufacturing and processing companies, and reductions in corporate income tax rates for small business.

The association says the export boom in the agricultural sector will help the economy rebound this year. It predicts Saskatchewan will see its real gross domestic product expand by 2 per cent in 1996.

Business capital spending is expected to increase by 6 per cent, to \$3.9 billion. Potash mining is also anticipating a good year. Oil production exports are expected to increase. An increase in diversification is also helping the economy. Non-traditional activities such as biotechnology, information and telecommunications technology, and call centres, are having a major impact on our economy.

Mr. Speaker, we are setting a good example for other provinces to follow in responsible financial management. As the bond rating agencies and the investment dealers association are saying, we are right on track.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Community of Pinehouse

Mr. Belanger: — Thank you, Mr. Speaker. Once again I'd like to commend the people of a small community in northern Saskatchewan for their accomplishments and ambitions.

The village of Pinehouse is about 160 kilometres north-west of La Ronge and has a population of approximately 1,200 great people. Some of these people are employed in the mining industry, as the Key Lake operations and McArthur River operations are close mining projects to the community. But Pinehouse has also a lot of other potential for other industries like tourism, forestry, and fishing.

But just as important as the natural resources of the Pinehouse area is the creativity and vision of the people who live there. The mayor and council of Pinehouse are continuously working to attract new business interests to the area and hope and

opportunity for their people. They know the people of Pinehouse are struggling to create a prospering economy for their area and for their people.

I would like to commend and recognize all the people who invest their time and money into various community development projects in the village of Pinehouse. Thank you.

Some Hon. Members: Hear, hear!

Saskatchewan Institute of Applied Science and Technology's Home Care Graduates

Mr. Pringle: — Thank you very much, Mr. Speaker. Another health care success story, Mr. Speaker. I had the pleasure of being at the SIAST (Saskatchewan Institute of Applied Science and Technology) graduation last week. And of course, graduation is always an exciting time. That was no exception. It caps off a lot of hard work, beginning of new opportunities for many people; and of course families are always very proud of the graduates.

The largest class by far, Mr. Speaker, were the home care graduates, some 280 home care graduates from across this great province. I was advised 70 to 80 per cent of these graduates are at work, and the prospects are great for all of the graduates. Mr. Speaker, this is what health care reform is all about: evolving health care roles, enhanced community opportunities, taking services to people in their own homes.

And I say, congratulations to all the graduates and thank them for their commitment to Saskatchewan's health care reform.

Some Hon. Members: Hear, hear!

Future Skills and Saskatchewan Abilities Council Collaboration

Ms. Lorje: — During Access Awareness Week and as we launch a modern training program through SIAST, it is necessary to remind ourselves that there are those who are willing to work and deserve our extra-special attention.

Therefore the Saskatchewan Abilities Council in Saskatoon is working with the Future Skills program to assist 14 people with disabilities to make the transition to meaningful, salaried work — work that has taken them off welfare and into the waged economy.

These people have been trained as lab assistants and will perform basic lab procedures. The candidates were trained under the Future Skills program and now work with the ag biotech sector in Saskatoon. These 14 have been so well-received that a second project has recently started.

Mr. Speaker, the Abilities Council is quite justifiably proud of this project because it is a departure from the traditional jobs people with disabilities usually obtain. Our economic and financial recovery since 1991 has been achieved because we have paid attention to matters both great and small. We have saved a dollar here and a penny there and we balanced the

books in the process. And in our rush to prepare students for the new jobs of the new technology, we have not forgotten that all work has value and all workers, including those with disabilities, have dignity.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Yorkton Short Film and Video Festival

Hon. Mr. Serby: — Thank you very much, Mr. Speaker. We are a young province with a brief recorded history, but we do have some established traditions which are the envy of the older provinces. And particularly we can point out with pride to the Yorkton Short Film and Video Festival which today opens its doors to start its camera rolling for the 32nd time in this province.

This is Canada's first and North America's longest running short-film festival. It exists to display, celebrate, and reward Canadian short-film productions. Its existence far away from the ordinary centres of film culture is a justifiable point of pride for the people of Yorkton and for all of Saskatchewan.

The 1996 festival has received over 400 entries which will be competing for over 30 different categories. Many of the entries will be shown to the public over a three-day period of the festival.

The Golden Sheaf Award will be presented at the banquet and the celebration on Saturday evening. Our master of ceremonies this year, Mr. Speaker, will be Mr. Bret Hart from the TV series *Lonesome Dove*, also a WWF (World Wrestling Federation) wrestling star who has very strong ties to Saskatchewan.

Mr. Speaker, this festival's theme is The Festival is a Country Attitude. It is a festival where people can come to enjoy the finest, most up-to-date film creations, at the same time enjoy the atmosphere of our Yorkton hospitality.

Yet another example, Mr. Speaker, of where Saskatchewan is a leader for Canadians and North Americans to visit and enjoy. Thank you very much.

Some Hon. Members: Hear, hear!

Piping Plover and Muttering Mandryk

Mr. Van Mulligen: — Mr. Speaker, occasionally a story leaps off the page and gets your attention like no other. Such was the case recently with an article calling for volunteers to conduct the yearly census of the piping plover, an endangered shore-bird that inhabits small lakes and basins. This international census will take place in June.

I then looked for, but could not find, the article calling for a search for the muttering Mandryk, a clipped-wing ground bird known for its pitiful cry of hypo-crite, hypo-crite.

Watchers of birds like the Mandryk know that the biggest threat

to the survival of a species is loss of habitat. Canada's national paper in Toronto, which by default now brings us the news of Saskatchewan, told us this week that the previous habitat of the muttering Mandryk is greatly reduced. The Black forest and the Hollinger basin do not seem to provide a hospitable environment.

As a noted bird-watcher of the Mandryk and other similar species said recently, "In a nutshell, that paper has gotten worse. It's clearly weaker." Protective coverage is not what it used to be.

For those of us, Mr. Speaker, who have grown accustomed and even fond of the daily mutterings of the Mandryk and his cohorts, for those of us who will miss their daily presence in our lives, I can only suggest that we, with sadness, take our binoculars off of Hollinger and turn them on *Hansard*. For a mere \$100 a season, *Hansard* can provide us with a complete view . . .

The Speaker: — Order, order. The hon. member's time has expired.

Some Hon. Members: Hear, hear!

ORAL QUESTIONS

Farm Fuel Rebate Program

Mr. McLane: — Thank you, Mr. Speaker. Mr. Speaker, the Saskatchewan Human Rights Commission has ruled that this government's farm fuel rebate program discriminates on the basis of marital status. Four farm women in this province challenged the program because they did not get a rebate because they were married to farmers, even though they are farmers in their own right.

Mr. Speaker, the commission also ruled that any farmer who received the maximum rebate since 1992 must be notified that they may be eligible for more funds if their partner in marriage also farms.

Will the Minister of Finance indicate to us today in the House, if her government intends to abide by the ruling of the commission?

Some Hon. Members: Hear, hear!

Hon. Ms. MacKinnon: — Mr. Speaker, I thank the member for the question. The judgement is being looked at by the Department of Justice. And I don't want to make any further comments on that particular issue, except to say that taxpayers in Saskatchewan do provide to the farmers of the province more than \$100 million each and every year in tax-free fuel of one kind or another, whether diesel or gas. Beyond that I do not want to make any particular comment on that specific issue.

Mr. McLane: — Thank you, Mr. Speaker. The official opposition has raised this issue with the Finance minister on several occasions. We have tried to get her to acknowledge the unfairness associated with the rules of the current program. Yet

the Minister of Finance has refused to make any commitment whatsoever. Mr. Speaker, the minister could have averted this controversy if she had simply listened. I spelled out these concerns in a letter to the minister last November.

Will the Minister explain to this House today why she and her government continually ignore the wishes of Saskatchewan people, and as a result, once again make the wrong choices.

Some Hon. Members: Hear, hear!

Hon. Ms. MacKinnon: — Mr. Chairman, to the member opposite, as I said before, the Department of Justice is looking at the issues. So I do not want to make any further comment on it except to say that the people of this province, I think, do a very good job of supporting the farmers of this province. More than \$100 million of tax dollars goes each and every year to ensure that farmers do not pay any tax at all in diesel, and that they get gas tax at a lower rate . . . or they get gas at a lower rate. Beyond that, I have no comment on the particular issue.

Some Hon. Members: Hear, hear!

Ms. Draude: — Farm women in this province have lived with this inequity and discrimination for far too long. The Human Rights Commission has recognized this fact and we, the official opposition, share the view of the commission. Yes, monetary costs could be substantial, but what is more important is that women are finally recognized as individual contributors to Saskatchewan's agricultural sector. It's too bad the government doesn't recognize this.

Will the minister tell me why women in Saskatchewan have to go the Human Rights Commission to get the recognition owed to them by this government, and will the minister also make a commitment to women of this province to recognize the recommendations of the commission?

Some Hon. Members: Hear, hear!

Hon. Ms. MacKinnon: — Mr. Chairman, to the member opposite, as I say, I don't want to comment on that because the Department of Justice is looking at it. But I do want to comment on the opposition parties. These people have more money for everything — more money for farm fuel rebate, more money for health, more money for education, more money for farmers, tax cuts from this one . . .

The Speaker: — Order, order. Now the Speaker's having a great deal of difficulty hearing the minister provide her response to the question. I will ask all members to cooperate and allow the minister to be heard.

Hon. Ms. MacKinnon: — Mr. Speaker, they would give more money to everybody in the province for every single thing, and at the same time they'd reduce taxes, and at the same time they'd figure out how to reduce the debt of the province. Mr. Speaker, we've seen this before in the 1980s in this province, and the people of Saskatchewan are not going to buy parties that say we'll do everything and some day you'll pay the bill. This government is committed to fiscal responsibility at the

same time as we are committed to ensuring that we have a compassionate and humane society in Saskatchewan.

Some Hon. Members: Hear, hear!

SaskTel Advertising

Mr. Bjornerud: — Thank you, Mr. Speaker. Mr. Speaker, I would like to bring to the attention of this House an eight-page supplement that appeared in yesterday's edition of the *Toronto Globe and Mail*. This supplement provides information on such things as SaskTel calling cards, SaskTel Internet, and call centre technology — not for Saskatchewan readers but for Toronto readers, Mr. Speaker. I'd like to send a copy over to the minister in charge of SaskTel.

Mr. Speaker, SaskTel has wasted countless dollars on focus groups. It has two well-paid presidents. And, Mr. Speaker, just like the Energizer Bunny, the foolish spending goes on and on and on.

Will the minister in charge of SaskTel explain how many valuable tax dollars were spent on this useless venture?

Some Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Mr. Speaker, Mr. Speaker, only in Saskatchewan could this happen. We have an opposition, we have an opposition, who doesn't understand the new technology, Mr. Speaker, that allows advertising to be placed directly to Saskatchewan audiences only in the issue of *The Globe and Mail* that circulates in Saskatchewan.

This is the technology that has existed for quite some time, Mr. Speaker. And if you were in the Alberta version there would be the Alberta ad. In the B.C. (British Columbia) version, there's the B.C. ad. We're not wasting Saskatchewan taxpayers' money advertising in other parts of the country, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Bjornerud: — Thank you, Mr. Speaker. Madam Minister, one of the biggest . . .

The Speaker: — Order, order. I'm going to ask all hon. members — and I'm asking members on both sides of the House — to allow the . . . Order! Order. I'm asking members on both sides of the House to allow the questions to be put and the answers to be heard.

Mr. Bjornerud: — Thank you, Mr. Speaker. Madam Minister, the biggest complaint we get with the Crowns is all the advertising dollars that are wasted. Now we're promoting in a Toronto- or an Ontario-based newspaper. At least if you're going to advertise, do it in the *Leader-Post* and *Star-Phoenix* where our people get the benefit of it.

Mr. Speaker, most people agree with the decision to have an insert in the *Leader-Post* or the *Star-Phoenix*, but one might certainly question the value of spending precious tax dollars for a fluff piece of newspaper ad going in the *Toronto Globe and*

Mail. The people of Saskatchewan hear this government claim day in and day out that they are attempting . . .

The Speaker: — Order, order. Order. Now I'm going to ask the hon. members on the government side to allow the Speaker to be able to hear the question being put — on both sides of the House.

Mr. Bjornerud: — Thank you, Mr. Speaker. Madam Minister, most people might agree with the decision to have such as insert in the Regina *Leader-Post* or the *Star-Phoenix*, but one must certainly question the value of spending precious tax dollars for a fluff piece of paper in the Toronto *Globe and Mail*. The people of Saskatchewan hear this government claim day in and day out that they're attempting to be as efficient as possible, yet the ad I refer to serves as proof that this is nothing more than an NDP (New Democratic Party) myth.

Will the minister justify the decision to spend money on a newspaper insert for Ontario readers and explain why our tax dollars are being used to provide revenue for an out-of-province newspaper?

Some Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Mr. Speaker, don't let the answer interfere with the question. I think I already explained that the ads appear only in the Saskatchewan version and, you know, just in case the members opposite should ever happen to pick up *Maclean's* magazine, for example, I would provide the same explanation — that there would be a full-page ad for SaskTel in the *Maclean's* issue for Saskatchewan only, Mr. Speaker.

And in terms of which newspaper we advertise in, I guess it doesn't really matter much since Conrad Black owns them all now anyway. It goes into the same pocket.

Some Hon. Members: Hear, hear!

Milk Control Board

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, my questions this afternoon are for the Minister of Agriculture.

Mr. Minister, I have a letter here from Ken and Ruth Baker who run a dairy farm near Saskatoon. In recent weeks, they've had to cut back on the size of their operations because of the restrictions placed on them by the Milk Control Board. The Milk Control Board is preventing them from selling to markets they have located in the United States.

They say:

. . . we are currently 40 percent over quota and we only get \$11.42 per 100 kilograms, whereas the United State's plants are willing to pay (us) between \$29.00 and \$40.00 . . . for our surplus milk. This is a huge loss to our operation and is opposite of the government's stated policy of encouraging exports.

Mr. Minister, why is your Milk Control Board standing in the

way of dairy farmers like Ken and Ruth Baker selling their excess production? Will you look into the matter immediately and take action to correct this problem?

Hon. Mr. Upshall: — Thank you, Mr. Speaker. Well I can say, Mr. Speaker, to the member opposite that the policy of this government since we came into power this last time, and I think previous to that for the most part, has been to let the industry decide what control mechanisms they would like or what restrictions or what type of marketing policy they want. We've done this with chicken marketing, egg marketing, pork marketing, and dairy marketing — all the marketing boards.

I say to the member opposite, if the industry, if the milk producers, come to me as a group and say that we want some changes in the milk marketing program, I will certainly consider that.

So I think the member opposite should talk to the people that are concerned about this shipment; get them to work with their industry counterparts. And I'd be very willing and open to discuss the matter with them.

Some Hon. Members: Hear, hear!

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Minister, I have a copy of your government's *Partnership for Growth* economic strategy. Apparently you and the Milk Control Board haven't read this document. Objective no. 2 is "Reduce the regulatory . . . burden on business." Objective no. 7 is "Expand the agri-value sector." Objective no. 18 is "Develop Saskatchewan's export (sector) . . ."

The actions of your Milk Control Board are running counter to all of those objectives and it's preventing Ken and Ruth Baker from expanding their operation and selling their products into new markets that they've found for themselves.

Mr. Minister, Ruth Baker told us, the Milk Control Board has our hands tied so tightly we can't even do anything without their blessing, and they don't bless anything.

Mr. Minister, why is the Milk Control Board ignoring your government's own economic strategy? Why aren't they encouraging dairy farmers like the Bakers to develop new markets instead of discouraging this activity?

Some Hon. Members: Hear, hear!

Hon. Mr. Upshall: — Mr. Speaker, in a democracy you have to take into consideration that the majority of the people make a decision. If the regulatory regime is handcuffing all dairy producers, I would expect the dairy producers would come to me and say so. If one person has an opinion different than that, they're totally entitled to that opinion. If they go to their industry counterparts and bring that forward to me, I'm certainly open to look at it.

In fact I've said in the past many times, marketing boards in this province have served the producers well. If the current marketing board system is not going to serve us well into the

year 2000 and beyond, then the industry should come and tell me that. And I'll work with them to provide the best marketing system that we can to give our producers an advantage that they can take and put dollars in their pockets and provide economic development to our province.

Some Hon. Members: Hear, hear!

Crown Construction Tendering Agreement

Mr. Goohsen: — Thank you, Mr. Speaker. My question this afternoon, Mr. Speaker, is to the Minister of Labour. Minister of Labour, I would caution you to listen up. This is a short question but very important.

Mr. Minister, can your government change the Crown Construction Tendering Agreement without the consent of the Construction Labour Relations Association and the building trades council? Or do those two organizations have to give their consent to any proposed changes?

Hon. Mr. Anguish: — The parties to the Construction Tendering Agreement met today. It was a very good meeting. There was a harmonious discussion. Both sides, reported to me, have been very reasonable, and they've agreed to have another meeting.

Some Hon. Members: Hear, hear!

Mr. Goohsen: — Thank you, Mr. Speaker. I have a supplemental for the minister. Mr. Minister, you made a deal with these two organizations representing the unions and unionized contractors. And by doing so, you have effectively given them a veto over any changes to your tendering policy. That's just plain insane.

The truth is that you no longer control your government's own Crown tendering policy which oversees millions of dollars of construction and Crown construction work every year. You signed this deal to buy labour support on the eve of an election. And now you're stuck with it for five years, and you can't change it even if you want to. Who in their right mind would've signed a deal like that, Mr. Minister?

Mr. Minister, will you admit that you would like to see some changes to this agreement but that you have no ability to change this agreement for five years because you've given away the control to the unions?

Hon. Mr. Anguish: — Well, Mr. Speaker, it doesn't surprise me that the member of opposite suggests ripping something up because when they were in government that's what they were, were rippers. They ripped the fabric of Saskatchewan apart is what they did.

But we are, in the New Democrats . . . is a party and a government of builders, and we're building on the strengths we have — the culture of Saskatchewan, the traditional values that Saskatchewan has, respect for private business, as well as respect for the working people who make this province operate.

And I'm happy and the member opposite should be happy that the parties today sat down to talk in the Saskatchewan way about how we build for the future. We're not people who are going to rip up something that's thoughtlessly requested by the members of the Conservative Party.

What we want to do is build on our strengths and our values in Saskatchewan for the next century. We believe that people are coming onside with that and wish the opposition would from time to time as well.

Some Hon. Members: Hear, hear!

Mr. Goohsen: — Thank you, Mr. Speaker. I have a second supplemental for the minister.

Mr. Minister, I understand that CIC (Crown Investments Corporation of Saskatchewan) officials were sitting down with representatives from both sides today. What happens if CIC and the construction association do come to some sort of an agreement but the CLR (Construction Labour Relations Association) and the building trade council say no? What happens then?

You've been giving these guys a veto over your own tendering policy, a veto that goes to cost millions of dollars over the next few years, the next five years. Mr. Minister, it would be kind of funny how badly you got snookered on this deal if only it weren't that the Saskatchewan taxpayers will end up paying the bill.

Mr. Minister, I have a very simple question for you, and I'd like a yes or no answer. Very simply put, yes or no, is it possible for you to change the CCTA (Crown Construction Tendering Agreement) without the consent of the CLR and the building trades council? Yes or no, Mr. Minister? Which is it?

Hon. Mr. Anguish: — Mr. Speaker, the member opposite shows an obvious lack of understanding of how public policy is developed. And it wouldn't surprise me because the government that he would represent from the days of the previous administration didn't pay much attention to good public policy.

The New Democrats, our government, have worked very hard to build public policy. How do you do that? You arrive at agreements with people from time to time; you search consensus or you can find consensus; you have consultations to get as broad as you can the public input and the stakeholder input into the programs that you develop.

Today there were members that sat down concerning tendering agreements, concerning construction work in Saskatchewan, to come to a compromise, to come up with better public policy. That's how you build public policy.

We take responsibility for the public policy we build, and in the end of the day it will be good public policy, Mr. Speaker.

Some Hon. Members: Hear, hear!

HARO Shareholder Agreement

Mr. Aldridge: — Thank you, Mr. Speaker. Mr. Speaker, I would like to bring to the attention of this House a January 1992 memo from the present Government House Leader to the Premier which refers to the HARO Financial Corporation and other Crown investments. I'd like to share copies of this with the cabinet members.

Mr. Speaker, this memo confirms that the deal the previous Conservative government agreed to saw a number of shareholders, including Harvard Developments which is owned by the Hill family, receive \$15 million worth of shares for only \$600,000 cash and a \$5.4 million loan that would not have to be returned unless there was a profit.

Mr. Speaker, in essence what the Tories did was agree to use taxpayers' money to give wealthy individuals more than their fair share. And the present NDP government hid this fact from the public for four years.

Will the Premier explain why his government continues to overtax the average person while giving wealthy HARO shareholders millions of dollars in free shares?

Some Hon. Members: Hear, hear!

Hon. Mr. Shillington: — Well no one would argue that the style of economic development of the former Conservative government was in the best interest of the province. And I think to that extent, the current members of the third party are fairly apologetic about the style of government and the style of economic management.

This memo, which I have not had an opportunity to read, refers to that and certainly this government has had the challenge of restructuring some of these arrangements which really were pretty bad. We have restructured them.

I am pleased to say that the . . . that Crown Life has now had quite a successful quarter. And I would say to the hon. member from Thunder Creek — I'm not sure where this is leading — but it seems to me it's time that the member from Thunder Creek left the attacks on Crown Life alone.

Some Hon. Members: Hear, hear!

Mr. Aldridge: — Mr. Speaker, not only did the Premier and the current Government House Leader know about this, but so too did the current Minister of Finance. Others who knew the taxpayers were being taken to the cleaners included Ron Clark, the current president of SaskEnergy; Don Ching, the Premier's law partner and newly appointed president of SaskTel; and the present ministers of Economic Development and Municipal Government, who both sat on the Crown Management Board.

Mr. Speaker, while this government closed hospitals, cut rural services, and raised taxes, they hid a sweetheart deal that provided wealthy HARO shareholders, including the Hill family, millions in free shares. Will the Premier explain why the double standard?

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, I want to say to the member opposite, the member from Thunder Creek, that his continuing attack on Crown Life long after, long after the fact, tells me something about the members of the Liberal caucus. First of all, they don't understand business. That's one of the reasons that they're in opposition.

And I would say, Mr. Speaker, across Canada, Mr. Speaker . . .

The Speaker: — Order. Now I'm going to ask the members of the official opposition to allow the Speaker to be able to hear the answer being put. I'm simply not able to hear the answer being put, and I'll ask for the cooperation of all members.

Hon. Mr. Lingenfelter: — Mr. Speaker, I just say to the members opposite, members of the Liberal caucus, is that their continued attack on Crown Life and other businesses in this province is both unbecoming as members of the official opposition . . .

And to quote an important person in the company's management, the vice-president, Alan Rowe, the Liberal opposition's uninformed and irresponsible comments have cost Crown Life a number of insurance contracts and jobs — and jobs. All this is is cheap politics to try to get out of the deep difficulty you've been in since you kicked your leader out and have ruined the chances of the Liberal Party to form government in this province for a long, long time.

Some Hon. Members: Hear, hear!

Mr. Aldridge: — Mr. Speaker, the last page of this memo lists some of the guidelines approved by this government for negotiating Crown investments and industrial projects. It states, and I quote: "no implicit subsidy should be provided by Crown agencies." The memo goes on to indicate that if grants or subsidies are necessary, again I quote: "these should be budgeted for and publicized so that all Saskatchewan citizens can access them."

Mr. Speaker, this government helped give millions of dollars in free shares to a select group of well-to-do people. It was done in the dark, and worse yet, it was kept in the dark by the NDP.

Will the Premier explain why his government broke its own rules and failed to inform taxpayers that they paid for a secret give-away to a select group of wealthy shareholders?

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, I say to the member opposite once again, he has his facts all wrong, and everyone in the province knows that.

The fact is, is that he's talking about an arrangement, an arrangement made by the previous government, led by Grant Devine. And people can question . . . and the decision was made about kicking that government out. And he's making that accusation, that shares were given by this government. There

was no such arrangement made. It was made by the previous administration.

What you're doing here, and I quote from the letter from Mr. Alan Rowe, and I quote from the second page of that letter, it says to you:

However, your uninformed and irresponsible comments earlier this year have had an impact on the value of the investment of Saskatchewan taxpayers.

You are causing a devaluation of the money that we have invested in this corporation.

Some Hon. Members: Hear, hear!

Mr. Aldridge: — Mr. Speaker, in recent months people in this province have been subjected to news that this government plans to force the closure of the Plains Health Centre, the geriatric unit in Moose Jaw, and numerous long-term care facilities. There has also been a round of education and other service cuts.

When this government allegedly renegotiated the HARO deal in 1992 the Premier stated, and I quote, "There's a limit to how much you can claw back in some circumstances."

Mr. Speaker, this government is willing to claw back when it comes to health care for average people, but there's a limit when it comes to the wealthy friends of his government. Will the Premier do the honourable thing and get back the millions secretly given away to HARO shareholders in a sweet deal that he and most of his cabinet colleagues have hidden from the public for the last four years?

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, I want to say that I had an opportunity to be in British Columbia over the last weekend and listened to the indiscernible message of the Liberal Party in British Columbia, but I can say, never have I heard a more inconsistent message than the members of that caucus.

The Speaker: — Order, order. Now again I'm going to have to ask hon. members to come . . .

An Hon. Member: — Which ones?

The Speaker: — Order. It appears on both sides of the House. Order.

An Hon. Member: — Which one?

The Speaker: — Order. The hon. member will come to order. Order! The hon. member will come to order. The hon. member will come to order. I will ask all hon. members, all hon. members, all hon. members, to come to order. The Speaker is . . . Order! I will ask all hon. members to come to order.

I'm not able to hear the answer being provided and I ask for all

hon. members to show their respect to the House and the question period to allow the answer to be heard.

Hon. Mr. Lingenfelter: — Mr. Speaker, I want to say to the members opposite that one of the reasons they're floundering in third place in the polls in Saskatchewan is because of the inconsistent message, the inconsistent message that they are giving out to the public of Saskatchewan.

The only question that I would ask the member from Thunder Creek and the Liberal caucus, are you urging us to shut down Crown Life or are you not? That's the message that you're giving to us, that you would kick 1,000 — 1,000 — Saskatchewan families out of their jobs. And if that's the message, have the courage of your conviction to stand up and say that in this House.

Some Hon. Members: Hear, hear!

MINISTERIAL STATEMENTS

Temple Gardens Mineral Spa Opening in Moose Jaw

Hon. Mr. Lingenfelter: — Thank you, Mr. Speaker. I rise today to recognize the Temple Gardens Mineral Spa in Moose Jaw on the occasion of their official opening of their new facility. This development has been formed through a partnership with the community, the city of Moose Jaw, and the province through the Saskatchewan Opportunities Corporation's \$700,000 equity investment.

Mr. Speaker, Temple Gardens is a \$9 million spa and hotel featuring a year-round in-door, out-door mineral pool and health centre, 69 guest rooms, and banquet facilities. It's located in the city of Moose Jaw's historic, downtown core.

Mr. Speaker, this development has made a significant impact on Moose Jaw's economy. Construction of the facility resulted in 80 person-years of construction activity, and the spa is hiring 80 full-time and 20 part-time jobs at the complex.

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, the development will also contribute significantly to the province's tourism industry. The Temple Gardens is expected to attract more than 60,000 visitors a year to the facility; visitors that will spend their tourism dollars in our province.

As you know, Mr. Speaker, tourism has been identified in *Partnership for Growth* as one of the six key, vital sectors of the economy for growth and job creation in our province. And the province has supported the initiative with the \$700,000 equity investment by SOCO (Saskatchewan Opportunities Corporation), a tourism and development grant from the Department of Economic Development, and a utility agreement from Sask Water.

Mr. Speaker, the spa has taken the initiative to access support from other governments and private agencies to hire and train employees — the funding through the province's Future Skills

program and support from SIAST, New Careers, Human Resources Council and the Saskatchewan Education Council. By doing this, Temple Gardens has developed an extremely progressive training program for 64 people previously unemployed or underemployed.

Mr. Speaker, the province also supported development through the federal-provincial Partnership Agreement on Water Based Economic Development and a Partnership Agreement on Rural Development, and I want to say here that the federal government deserves credit for their involvement as well.

Many community leaders supported this project development and they should be congratulated. And I want to say specifically to you, Mr. Speaker, and to yourself and the Minister of Social Services, this project is very, very much a result of your work with the community.

The city of Moose Jaw and the federal government also deserve the support of the community in this investment, along with the private banking sector. But it was the initiative and support of the people of Moose Jaw that encouraged, nurtured, and supported the project to fruition.

Private investors, most of them from the city of Moose Jaw, contributed more than \$3 million to the project, and in the process created jobs for the city and for families in the Moose Jaw community. I know that all members will join with me in congratulating the community of Moose Jaw and those involved in the development of the new spa which will be opened on Saturday.

Some Hon. Members: Hear, hear!

Ms. Draude: — Thank you, Mr. Speaker. On behalf of the official opposition, we'd like to congratulate the stakeholders on the Temple Gardens Spa in Moose Jaw on the grand opening of their facility.

I'm not sure how many people recognize the work and the dedication it requires to start a business, and the extra challenges required in developing a world-class tourism destination. Saskatchewan has all the essential elements for so many different types of businesses and industry, not the least of which is the people whose talents and drives can move mountains.

Mr. Speaker, my biggest dream is to be part of this Assembly when there are so many business start-ups in this province, we'll no longer have time to recognize them each individually.

Some Hon. Members: Hear, hear!

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, certainly there's a lot of good in this agreement that has been reached. The people of Moose Jaw, as you know, have worked very long and hard to see this project come into being.

I certainly remember in our caucus, the former caucus, the former member from Thunder Creek spoke in glowing terms about this project. It's been ongoing for many years, and it's

good to see that the project has come together. So we certainly congratulate the people of Moose Jaw in this latest endeavour, and we look forward to it being very successful.

The Speaker: — Why is the member on her feet?

Ms. Haverstock: — To ask leave to comment on the ministerial statement.

Leave granted.

Ms. Haverstock: — Thank you very much. Well I am so delighted that the citizens of Moose Jaw have been able to bring this particular facility to fruition, and it is indeed a credit to their tenacity. I am quite sure that the minister recalls that he and I disagreed on how this in fact might be able to be accomplished, but it appears that we are equally pleased by the result.

And, Mr. Speaker, I was so enthralled when my dad explained to me that the original Temple Gardens' floor was cushioned by horse hair in order for people to be able to enjoy their dancing more.

And it is appropriate, I believe, that the deeply loved building that provided such good times is going to have its name live on in a facility that will provide more good times. So I say, congratulations to all the citizens of Moose Jaw and in particular the people that brought this about.

Some Hon. Members: Hear, hear!

(1430)

ORDERS OF THE DAY

WRITTEN QUESTIONS

Hon. Mr. Shillington: — According to our policy of being open and accessible, I table the answer to 110.

The Speaker: — The answer to question 110 is provided.

COMMITTEE OF THE WHOLE

Bill No. 88 — An Act to amend The Queen's Bench Act

The Chair: — I would ask the minister to introduce his officials, please.

Hon. Mr. Nilson: — Yes, I'm pleased to have with me today, Barb Hookenson, the executive director of court services; and Madeleine Robertson, a Crown solicitor.

Clause 1

Mr. Goohsen: — Thank you, Mr. Chairman. I'd like to, on behalf of our members, welcome the officials today who are going to assist you, Mr. Minister. And we would of course like to talk to you a little bit about this Bill because once again in simplicity, as we read the title, it seems like a Bill constructed that doesn't seem to do very much, and yet it has some very

deep meaning for a lot of people. And it gives you and your government and your officials a lot of power to change things in Saskatchewan that cannot and will not be debated on a public forum once this Bill is passed.

But in order to get people your opinion of how this Bill is going to be used, I think in fairness, I'll allow you to explain to us how you plan on using the powers that you will achieve from this Bill.

Hon. Mr. Nilson: — At the present time, the only way that we would be using this is to deal with the previous announced arrangement as far as Melville is concerned.

Mr. Goohsen: — Well, Mr. Minister, you mention that this has only got to do with Melville, and yet my impression of the Bill is that it gives you the power to close certain facilities throughout the province that have to do with Court of Queen's Bench, in other words, court-houses like the one in Kerrobert. Is that off the mark?

Hon. Mr. Nilson: — The only thing that this particular amendment deals with is the residences of Court of Queen's Bench judges. It has nothing to do with court-houses.

Mr. Goohsen: — Then tell me, Minister, what you're doing in Melville that you're going to have to close up a residence?

Hon. Mr. Nilson: — Well we could have a situation where we didn't have a Court of Queen's Bench registry in Melville, but we'd have a requirement in the Act that requires that a Queen's Bench judge live there and commute to Yorkton or to Regina or Saskatoon or something, to do, as . . . do the jobs.

Mr. Goohsen: — Well it seems rather strange to me that you have to have an act of legislation in order to provide housing for a judge or to take it away. I'm trying to figure out in my mind, why we're doing this? Surely there must be some provision in other Acts . . . you're amending this Act, and I have the feeling and the sense that there's more buried here than meets the eye, and I want you to tell me if this amendment is simply changing that part. Obviously then the rest of the original Act is the part that has been invoked to use as the power to close court-houses such as the one in Shaunavon. Is that true?

Hon. Mr. Nilson: — I think the difficulty that you have is that this particular amendment doesn't have anything to do with the closure of court-houses. And I think what you should remember is, that this provision was placed in The Queen's Bench Act at the time that the district court and the Court of Queen's Bench were amalgamated. And the lists of towns or cities that are on this particular part of the Act are those places where, I think in 1979, there were resident district court judges. And it just was sort of the luck of the draw that these places had resident judges at that point. And practically, that's the only rationale. It only relates to the residence of the judges.

We have a situation here where we're trying to set it up so that we don't have to go to the legislature every time a judge wants to move his residence.

Mr. Goohsen: — So it is simply permission then to have the right to move the judge's residence. In terms of . . . you're not specifically talking about a little brick house. You're saying, the very general term of a residence that he wants to move from Shaunavon to Maple Creek, and if he wanted to live in Maple Creek and commute back to work at the other place, he could have his residence somewhere else. You're not saying that the government provides him with an actual home, that he doesn't have to buy his own then. So the words are a little bit confusing. But I'll let you straighten me out.

Hon. Mr. Nilson: — That's correct. We do not provide a house or a place for judges to live. This relates to a sense, at one point, where there was the perception, when we didn't have the modern communication systems that we do have now, that you needed physical access to the judge, the person of the judge, in the community. Now we have a very effective telecommunications system, we have a very effective court system, which allows for access to a judge any time, day or night, via telephone if necessary.

And what we're dealing with here is in a sense, an anachronistic piece of legislation which hampers the effective administration of justice.

(1445)

Mr. Goohsen: — Well, Minister, supposing I'm incarcerated in jail in Shaunavon and the judge no longer now lives there because you have, through this Act, allowed him . . . I don't even know if one lives there, but I'm just using this as a hypothetical example. Now suppose the judge that used to live there, that my lawyer could have gone to and got a writ of habeas corpus to spring me out of that situation, and now that judge no longer is there because of this Bill. You're saying that I still have my rights as an individual protected, that I could still get out, that I could still have my lawyer get a hold of a judge that same day and protect my rights as an individual? Or do you still have to have a written, signed piece of paper by a judge in some of these situations in order to protect the individual rights of people?

Hon. Mr. Nilson: — Well the first piece of information is that there never was a resident Court of Queen's Bench judge in Shaunavon at any point. That was never a designated spot. So that's not a very good example.

But to answer the second part of your question, the rules are such that one can file the documents by fax and get orders back by fax, which are deemed to be equally valid as if somebody hands them to you personally in this situation. And the whole idea is that we will have access to justice in just the situation you talk about even faster than maybe we did before.

Mr. Goohsen: — I apologize for using a bad example, Minister. I've never been in jail, not even as a visitor, so I didn't know that they didn't have one in Shaunavon or a Court of Queen's Bench judge. However, I'll use Swift Current then — it's bigger; it must have one. I'm sure they do.

So what you're saying is that the individual rights of people

now are still protected because you have, in law, allowed that electronically transferred documents are legally binding and that the courts and officials in the jail system will act on those and that everybody that needs to have their rights protected still has the same protections that we had before.

Hon. Mr. Nilson: — That's correct.

Mr. Goohsen: — That was my concern I guess and straightening out the interpretation of the wording of what residence really meant, and the fact that it doesn't necessarily mean that you were buying houses for judges, or weren't about to start to do so in the future. I think there are some people that should buy their own homes, probably . . . well I won't mention any others. A couple came to mind real quickly.

Anyway I appreciate your answers. I think it's rather silly that we have lived this long in life in this province without having had the ability to do what you're already doing. Probably somebody should have done this quite a few years ago.

And so I have no further questions on the issue. I think you've done the right thing here.

And I hope that it really doesn't affect anybody's rights though, and that everybody does have their legal obligations fulfilled and that people can in fact not have to be incarcerated improperly for long periods of time, and those kinds of fundamental rights are still protected. And I believe they probably are. So you can comment on that and assure us if you like. But other than that I have no further questions.

Ms. Draude: — Thank you, Mr. Chairman. Mr. Minister, I believe that the power to pass regulations which would establish . . . or de-establish judicial centres as contained in section 52, subsection (2) of The Queen's Bench Act, the power has been used extensively by your party, Mr. Minister, since it came into power in 1991.

In June of '93 the NDP passed an order in council for 60 of 1993, enacting a judicial centres regulations 1993 known as chapter Q-1 regulation 3, which disestablished two rural judicial centres, namely Shaunavon and Gravelbourg.

Curiously those two judicial centres just happened to be located in the constituency of Shaunavon, now known as Wood River, which happens to have been held by the Liberals. In fact it was held by our esteemed House Leader who was re-elected there with a margin of over 1,500 votes. More recently in July '94, the NDP passed regulations no. Q-1, regulation 4, entitled the judicial centres regulations 1994.

This regulation resulted in the de-establishing of another judicial centre. This time it was in Moosomin. Curiously the town of Moosomin just happens to be located in the constituency of Moosomin which is held by the PCs (Progressive Conservative). In fact it's held by the esteemed House Leader of what is now the third party. I note the hon. member from Moosomin was re-elected in his constituency by a margin of 1,200 votes.

Now we hear that the judicial centre of Kerrobert is next on the

chopping block — not surprising. We find that the town of Kerrobert is located in the constituency of Kindersley which is held by the Leader of the Third Party of this legislature.

If we look back over the last three years of NDP administration, it's not surprising that people in the rural areas who place a value on the presence of their Queen's Bench centres look with trepidation upon the power of the government to establish and disestablish judicial centres by regulation under section 52 under the Act. One of the assurances that citizens in smaller centres can draw comfort from is the provisions of section 7.13 of The Queen's Bench Act. That's the section which requires that at least one Queen's Bench judge reside at or in the neighbourhood of 10 main cities and towns.

These cities and towns are Battleford, Estevan, Moose Jaw, Prince Albert, Regina, Saskatoon, Swift Current, Yorkton, Humboldt, and Melville. To people in businesses in these communities, the presence of section 7.13 of the Act provides some long-term assurance that the government has no plans to de-establish their community as judicial centres.

Mr. Minister, the Bill before this Assembly proposes to repeal this important subsection and replace it with just another typical NDP style section giving power to the Governor in Council to pass regulations designating places where the Queen's Bench judges must live.

Mr. Minister, I must say this to you in all sincerity, that I'm very disappointed by your decision to introduce this Bill. The Bill, if it is passed, will further remove the public debate over the establishment and de-establishment of judicial centres out of the world of the Legislative Assembly where it belongs, in my humble view, and into the realm of the quiet, closed door world of the cabinet where regulations are being made.

Mr. Minister, this Bill is wrong. If you are planning to close down one or more of these judicial centres that would correspond to the list of 10 communities where at least one judge must reside, then in my respectful opinion you should have introduced an amendment to The Queen's Bench Act which expressly removes the community from the list.

You should be required to submit your proposed amendments to the elected representatives of the people — the MLAs of this province. And, Mr. Minister, it would be a move that would cause you some political heat and perhaps your colleagues in cabinet, but that's the way the system is supposed to work, Mr. Minister.

If you want to change the law in a controversial way, a way which may have a detrimental effect for our rural community, then I think it's your public duty to bring that change before the Legislative Assembly and come clean. Debating that change may make you unpopular for a while, but it's the right thing to do. It's democracy in action, and it's the open way.

Mr. Minister, your Bill seeks to avoid that. Your Bill seeks to do an end run around the nasty debate in the legislature. It seeks to do an end run around having to introduce a Bill in this House which would expressly state what I fear your government's

intentions are in the case of several rural centres. To put it bluntly, Mr. Minister, and I hesitate to use these words, but your Bill seeks to do indirectly what your colleagues in cabinet are afraid to do directly. And in short, I think it's wrong.

Now, Mr. Minister, I've used some rather strong language in my preamble to the question on this Bill, and I regret if I've caused any offence. But I think it's best that you know our true feelings about this type of Bill, and here I'm referring to the Bills to remove unpopular decisions from the forum of the Legislative Assembly.

In any event, Mr. Minister, I want to ask you earnestly, in the next three and a half years of your government's mandate, are you planning on eliminating the requirement that a judge reside in or at the neighbourhood of Melville, Battleford, Estevan, Moose Jaw, and the rest of those cities on the list?

Hon. Mr. Nilson: — Well I think that the question and the comment doesn't necessarily understand what we're doing here. This relates to the residence of the judge. It doesn't relate to where the court-house is. And we're in a situation now where we have announced the closure of the court-house, the Queen's Bench, in Melville. We'll continue to have Provincial Court heard there, but we won't have a registry for the Queen's Bench any longer.

This legislation has it set up so that a judge would live in Melville, a Court of Queen's Bench judge would live in Melville, but commute to Yorkton or commute to Regina or commute somewhere. I think what we have to remember is that the history of this particular piece of legislation relates to the amalgamation of the district court with the Court of Queen's Bench. And when we recognize that, then the list of names where these residents were relates exactly to the 1979 list of where district court judges live.

Clearly the goal of any Department of Justice, any minister of Justice who is involved with providing access to justice in Saskatchewan, is to make sure that everybody has access to the appropriate resources that they need.

Telecommunications have changed dramatically so that many of the kinds of things that were done by having access to the person of a judge in the community can now be done faster and with more efficiency by using fax pleadings, by using the telephone, by using other means.

We have to look carefully at how much money that we have in our total system and how we spend that money. And one of the things that we in our department have looked at very carefully is how we structure the access to justice arrangements. And one of the things that creates a number of difficulties relates to having a provision in the Act that directs where judges live — not where they work, but where they live. And that's what we want to remove. That's all.

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

The committee agreed to report the Bill.

**Bill No. 91 — An Act to amend
The Summary Offences Procedure Act, 1990**

Clause 1

Ms. Draude: — Thank you, Mr. Chairman. And I apologize, Mr. Minister, for not welcoming your officials last time. Mr. Minister, could you just briefly give us . . . just explain the major changes in this Bill?

Hon. Mr. Nilson: — They're basically changes to increase consistency with what happens in the Criminal Code. There are, I think, some changes surrounding the use of restitution, making it absolutely clear that we encourage the whole judicial system to use provisions of restitution. And then there's provisions around the fine system, and how the procedures are used with the collections of fines as it relates to municipalities.

Ms. Draude: — Mr. Minister, in clause 3 of the Act, the definition of peace officer has been expanded. It appears RMs (rural municipality) will now have the power to appoint by-law enforcement officers.

What is the current method of enforcing by-laws? Is it done strictly by the RCMP (Royal Canadian Mounted Police)?

Hon. Mr. Nilson: — I think all we're doing here is trying to make the legislation consistent with what happens now. By-law enforcement officers are appointed by the municipalities, and this just makes it clear that they then have the powers of a police officer.

Ms. Draude: — Mr. Minister, is this a change that the RMs have actually been asking for? Is that the purpose of the change?

Hon. Mr. Nilson: — I think practically it's a legislative gap that we wanted to make sure was fixed. We just had by-law enforcement officers out there. When we looked what their authority was to do some of the things they were doing, it wasn't set out in the Act. And so the officials recommended that this happen.

So it wasn't brought to us by the municipalities but they're clearly not opposed to it.

(1500)

Ms. Draude: — Thank you, Mr. Minister. The Bill also appears to expand the definition of prosecutor. Can the minister explain this change and why it was made?

Hon. Mr. Nilson: — The concern here was to make sure that the definition of prosecutor was consistent with the Criminal Code, which is federal legislation and the practice across the country. It expands it slightly to make sure that people who were actually in the process of handling the first appearances usually have the clear definition of prosecutor under this legislation.

Ms. Draude: — Mr. Minister, if we can jump down to clause 6 of the Bill, these amendments appear to . . . appear the government has the right to seize the property of corporations who have failed to pay fines. I'm wondering if this doesn't appear to be an extreme measure or if the minister envisions seeing that it could happen very often.

Hon. Mr. Nilson: — I think your definition is correct, that it is an extreme measure and it would be very rarely used to actually use this particular process of distress or seizure of assets. They'd have to go back to the justice of peace and say, we've tried all other ways to get this fine paid and we need to take this step. So it's a procedure that is expected to be used rarely, but it's quite handy if you're trying to collect a fine.

Ms. Draude: — Mr. Minister, how are the corporations treated under the current Act as far as restitution is concerned?

Hon. Mr. Nilson: — Is your question about restitution or about distress . . . (inaudible interjection) . . . About restitution. Well I think practically, the answer would be that they're treated like all other convicted offenders, and if they're ordered to pay restitution, well then it's clear that they should pay.

Ms. Draude: — Is there any limit as to what can and can't be seized?

Hon. Mr. Nilson: — If you're talking about corporations, it would be the corporate assets, and that alone.

Ms. Draude: — So it would be any of the unmortgaged, tangible assets.

Hon. Mr. Nilson: — That's correct.

Ms. Draude: — How would the other unpaid creditors of the company be treated in these circumstances? Would they get a share of the proceeds of the sale of the seized goods?

Hon. Mr. Nilson: — I think in this particular area there doesn't appear to be Crown priorities, so they would share with all other creditors.

Ms. Draude: — Would they share in a percentage relative to the amount that was owed by each?

Hon. Mr. Nilson: — Yes.

Ms. Draude: — Owed to each, not by each.

What would happen in the case where the seized goods were covered by a security agreement under that Personal Property Security Act?

Hon. Mr. Nilson: — The security agreement would take precedence.

Ms. Draude: — What if they were covered by the purchased money security interest; would that be the same thing?

Hon. Mr. Nilson: — Yes.

Ms. Julé: — Thank you, Mr. Chairman. Welcome to your officials, Mr. Minister.

In carrying on the line of questioning of my colleague, I would just like to pose a couple more questions. Would it make a difference if the goods in question were a vital or essential commodity to carry on the company's business? I'll just give you an example if you like, such as maybe a delivery van for a delivery service company.

Hon. Mr. Nilson: — I think the answer to your question lies in the way the procedure has been set up. The person who's enforcing the payment of the fine has to go back to the justice of the peace before using these rather drastic measures. And often what the role of the justice of the peace in that situation is, to say, well is this seizure, or whatever you're going to do, going to destroy a business or, you know . . . usually the questions are, well how have you tried to collect the money so far. And so there is a protection built into the proposal that's here.

Ms. Julé: — So then is it fair to say that there is a limit as to what can be seized if it's detrimental to the ongoing function of the company in question?

Hon. Mr. Nilson: — There's no limit in the legislation here about that, but I think practically, what you have to recognize, there are very few situations where there are very large fines. Although you know, there are some examples of, I suppose, a \$100,000 fine, but usually that's with a larger corporation. But most of the time we're talking about smaller amounts.

But the role of the justice of the peace here would be to assess the size of the fine and how much money is needed to cover that fine. I think practically, corporations are one of the, I guess, should I say, the best payers of fines. When they're fined they usually pay it because that's just the nature of business.

So this would be only used in some very drastic situations.

Ms. Julé: — Thank you, Mr. Minister. Mr. Minister, would this power sort of kick in technically the day after the fine falls due, or when?

Hon. Mr. Nilson: — Yes, this power would be there immediately when the fine is ordered. But practically, there would be many chances to pay the fine before we'd ever get into this. Plus there's the process of going back to the justice of peace — makes it clear that you have to go to the justice of the peace; say, well I tried to get paid this way or that way.

The only time it might go very quickly is if it's a corporation's ordered to pay a fine and then there's an asset that's going to disappear. They might move faster. There are also other pieces of legislation that could deal with that problem.

Ms. Julé: — Thank you, Mr. Minister. Mr. Minister, will there be a reasonable warning period involved?

Hon. Mr. Nilson: — Well I think the reasonable warning period would be the day that the judge orders the fine, and then

whatever arrangements a corporation might make to pay that fine. I can imagine that whoever's acting or is the person who is involved with the corporation would have a very good idea of when this might take place.

Ms. Julé: — Thank you, Mr. Minister. Is there a waiting period between the seizure of the goods and their subsequent sale?

Hon. Mr. Nilson: — There isn't necessarily set out here a time like that. But clearly, whoever is enforcing the fine would rather have that person come up with some money and then give the asset back. And that's sort of the normal procedure.

I think what we've done here is there have been a few difficult situations where this power didn't exist for the people who were enforcing the fine. Just by adding this particular clause, it makes it very clear that as a corporation you can't avoid paying your fine.

Ms. Julé: — Thank you, Mr. Minister. Would a property that actually belonged to other people, was accidentally seized and sold . . . will the government have to compensate the owner?

Hon. Mr. Nilson: — Are you asking about wrongful seizure?

Ms. Julé: — Mistaken seizure, yes.

Hon. Mr. Nilson: — Yes, I think that would be appropriate, that there would be some arrangement to correct whatever mistake had been made.

Ms. Julé: — Thank you, Mr. Minister. On the question of restitution, there's no question that we fully support any attempt to provide restitution to victims of crimes by the perpetrators of those crimes — because we do support that. How exactly do these new rules broaden the power of Provincial Court judges for the issuing of restitution orders?

Hon. Mr. Nilson: — I think this is actually a significant change which does make it very clear that the judges do have the power of restitution in the legislation. Right now, what they have to use is probation orders and other ways of doing it rather than having it specifically spelled out here. So this is, I think, good news for all of us, that the judges will have a clear way to order restitution.

Ms. Julé: — Thank you, Mr. Minister. How does this compare to similar procedures in other provinces?

Hon. Mr. Nilson: — I think in Canada there were a number of provinces that just used the Criminal Code provisions, which is the federal law, and some other provinces were like we were up until we passed this legislation, without any specific provisions. So we're, I suppose, in the middle of the pack. We're now moving towards the side where we have very clear rules about restitution.

Ms. Julé: — Okay, moving on, it appears the Bill restricts municipalities' ability to offer discounts for early payment of certain fines. Why was this clause thought necessary?

Hon. Mr. Nilson: — I think the concern that we had as a province, looking at the total administration of Justice, was an inconsistency of treatment of moving traffic violations — in other words, speeding — and where one municipality might have one rule about that and somebody drives down the road and they have a different rule. What we want to be certain is that there'll be consistency across the province in dealing with those kinds of offences.

Ms. Julé: — These are all the questions that I have at this time, Mr. Minister, and I thank you very much.

Mr. Belanger: — Just a couple of questions, Mr. Minister, and again welcome to your officials from your department. This is a question specifically for northern Saskatchewan, just a very few, quick questions.

In one section, it says section 7.1 amended; 7.1(3) is repealed and the following substituted:

“When directing where a judge shall reside, the Lieutenant Governor in Council shall ensure that at least one judge resides at or in the neighbourhood of each place designated in the regulations for the purpose of this subsection”.

In northern Saskatchewan, as you're probably aware . . .

Hon. Mr. Nilson: — That legislation has already been passed. We're onto the next Bill.

Mr. Belanger: — Thank you. I guess the part I have in northern Saskatchewan, many judges that do come into the North and look at what the situation is, and the part I'm concerned about is when the judges pass judgement on somebody to pay restitution, is there a provision in there in terms of the length. Because on many occasions, people who've either been in . . . personally offended or the property offended, because of the economic situation, many times they aren't able to recover some of their losses. Is there something to address that particular problem?

Hon. Mr. Nilson: — I think it's quite clear that when judges use the restitution remedy in conjunction with another sentence, whether it's incarceration or a fine, they are very careful to listen to the pre-sentence report which has information about the financial ability to pay, about the economic circumstances. And I would suspect that, especially in northern Saskatchewan, there would be a clear recognition of the limits of the ability to use the restitution remedy. It may be, if there is somebody that has substantial assets or a high paying job, that they might have an order of restitution which covers the full amount.

(1515)

Whereas if it's somebody else whose income is seasonal or limited, they might have a very nominal restitution order or no restitution order at all.

Mr. Belanger: — Has there been any basic assessment of how successful the restitution efforts are on behalf of judges when it comes to areas that are economically depressed, such as

northern Saskatchewan?

Hon. Mr. Nilson: — I think the simple answer to that would be that there have been very few if any restitution orders in areas where people can't afford to pay them.

Mr. Belanger: — I certainly respect the position, and especially the economic situation in northern Saskatchewan, where criminal or personal offences usually do not result in quick restitution of damages and costs incurred.

I would suggest, Mr. Minister, that we look at the option of . . . and I've seen many examples of where a person may have his tire slashed or maybe his car window broken; it's a \$600 job. And the judge can easily pass a restitution order of a dollar per month and that really doesn't do much good. I mean it takes a person 600 months to pay off that thing.

So really, within the limits of recognizing that there are no jobs in northern Saskatchewan, so the restitution policy follows the general guidelines of how you've been handling these cases over the years, that perhaps we can look at ways and means, within reason, on how we can increase . . . or decrease the amount of time that many people have to make restitution to the person whom he or she has offended . . . quicker than what the norm is.

Again I go back to the earlier example of a \$600 window. He could say, well I'll pay a dollar a month; that's all I can afford. And so I would suggest perhaps, that we have some flexibility in there for the victim; certainly, again, in respect to what the offender is able to pay as well.

Hon. Mr. Nilson: — I think it's quite clear that the discretion of the judge handling the matter will take into account many of the concerns that you have. And if there are things that are very unfair or inequitable, then it would be possible to appeal those kinds of decisions. But I think practically — especially in northern Saskatchewan — we have judges who are very cognizant of the economic conditions and the ability of people to pay.

Ms. Draude: — Thank you, Mr. Deputy Chairman. And, Mr. Minister, thank you for your patience. I just have one last question. I'm just wondering if, within the regulations or within the Act, there's any restrictions that would control, in a relative size, the amount of an asset seized relative to the size of the fine.

And I'll just give you an extreme example. You can't seize somebody's car for a \$100 fine. Is there any restrictions within that context?

Hon. Mr. Nilson: — I don't think there are any restrictions in this particular legislation, except that once again for that particular provision you would have to go to the justice of the peace to get the okay to make a seizure. And they would . . . (inaudible interjection) . . . Yes, they could say, well this doesn't make sense, and would probably request that the person who is trying to enforce the fine go back to the person who's supposed to pay and work out some other arrangement . . .

(inaudible interjection) . . . Yes, yes.

And I think clearly, all of the enforcement of fines using these kinds of distress provisions will be very unique and unusual, difficult cases to enforce a fine. And it could be, for example, a corporation that has a truck, owns a truck, and the truck is driving across the country and the fellow avoids paying the fine until they can actually seize the truck, which is the main asset of the corporation. Then he might quite quickly come up with the dollars.

One of the difficulties that we have and why we've added this provision is that you can't put a corporation in jail and you can't take away a corporation's driver's licence.

Ms. Draude: — Thank you, Mr. Minister.

Clause 1 agreed to.

Clauses 2 to 8 inclusive agreed to.

The committee agreed to report the Bill.

Hon. Mr. Nilson: — I'd like to thank my officials for their able help.

Bill No. 44 — An Act to amend The Crown Corporations Act, 1993

The Chair: — I invite the minister to introduce his officials.

Hon. Mr. Shillington: — Thank you very much, Mr. Chairperson. Seated on my immediate right is the general counsel for Crown Investments Corporations, Scott Banda; directly behind me is Mark Guillet; seated behind Mr. Banda is Ken From; and behind me and to my left is Ken Adams.

Clause 1

Ms. Draude: — Thank you, Mr. Deputy Chairman, and welcome to the minister and your officials.

Mr. Minister, under clause 3(1), there is an amendment to complete the definition of a Treasury Board Crown corporation. Can you tell me what Crown corporations will be included under the new definition of Treasury Board Crown corporation?

Hon. Mr. Shillington: — That's actually a good question. The subtlety escaped these learned gentlemen for a long time too.

The previous definition apparently did not include . . . or there has been a definition of Treasury Board Crowns but it apparently did not include Crown . . . Treasury Board Crowns which had their own Acts.

And an incomplete list of Treasury Board Crowns which have their own Acts, as distinct from those that are incorporated pursuant to the legislation which permits it, is the Agricultural Credit Corporation, Saskatchewan Crop Insurance, Gaming Corporation, Grain Car Corporation, and SPMC (Saskatchewan Property Management Corporation).

So that's an incomplete list of Treasury Board Crowns which have their own Acts and therefore were not included in the previous definition.

Ms. Draude: — Can you tell me how this will impact the budget of CIC?

Hon. Mr. Shillington: — It won't, actually. This whole Act will not have us doing anything different. All of these changes will . . . And this is very common in this Assembly — we bring in legislation which legitimizes that which we're doing. All of these things in fact legitimize that which we are already doing, so nothing really will change. It's just . . .

Yes. Mr. Banda draws to my attention the fact that these are already operating as corporations, have been for some time. The existence of some of them indeed is in the process of being phased out, which is true of the Grain Car Corporation.

So some of them having been born, lived, and are now dying, are we're only now getting to legitimize them.

Ms. Draude: — Thank you, Mr. Minister. Under clause 4, clause 4 is added to allow CIC to amalgamate with subsidiary Crown corporations. In what cases other than wind-up of a corporation would this amendment be necessary?

Hon. Mr. Shillington: — The answer is none. That's the only reason that that would be needed. The answer is none.

Ms. Draude: — Mr. Minister, under subsection 6(1) clause (u), there is repealed and replaced for the new section that expands the authority of CIC to provide loans. Why does the minister believe that this particular amendment is necessary?

Hon. Mr. Shillington: — Again, we're already doing this. The courts have interpreted power to advance money very, very narrowly, and this can cause enormous headaches if you make a loan which has no statutory authority.

So the answer is, we're already doing this, but we are clarifying the legislation to make it crystal clear that CIC has the power to be doing it. That is has the power to do that which it's already doing. So this is another example of something we're already doing. The legislation simply makes it crystal clear that what we're doing is legitimate.

Ms. Draude: — Mr. Minister, I don't see how you can claim, or the minister can claim, that the current provision of the Act is too restrictive, and yet we've never had tabled a comprehensive audit of CIC's investment management system.

Hon. Mr. Shillington: — I may need some clarification from the member on that. CIC has . . . I take a certain bit of pride in this, actually. CIC did not file annual reports until I was minister back in '92. We then brought in a comprehensive set of guidelines which prescribed what the CIC report should include.

And after '92 it has been very complete, and a very complete description. So we do provide an annual report; we do provide

audited statements of what CIC does. And that process really began with the election of this government in 1992 when I was minister, and I take a little bit of pride in having played a modest role in ensuring that CIC is fully and completely accountable.

In the '80s when the other old-line party was in office, I want to tell you that the accountability and the financial information provided with CIC was minimal and really unreliable. The Provincial Auditor, on more than one occasion, took the opportunity to say the information was so incomplete he could not provide an audited statement of the corporation's affairs. We changed that, and we have had, since the election of this government in 1991, we have had unqualified financial statements which have been filed every year.

Ms. Draude: — Thank you, Mr. Minister. Because this amendment will significantly increase the liability of the taxpayers in cases where CIC provides financial assistance to corporations, are there new methods of accountability that the minister is considering for CIC investment management system?

Hon. Mr. Shillington: — Really the opposite is true. The effect of these amendments is that the accountability will be increased for a number of reasons, including the fact that there will now be an order in council covering these things. So in fact your initial assumption upon which your hypothesis was built isn't accurate. This legislation in fact increases the accountability.

(1530)

Ms. Draude: — Can you give me some specifics on what you . . . you say it will increase it. How? What type of regulations do you mean?

Hon. Mr. Shillington: — Well these loans are now covered by . . . will now be authorized by order in council. It's a public document, and they'll be available to you. That was not heretofore the case. So you will know when these are done because they'll be done by order in council instead of being done under the basket.

These things were done, but they were done under a different clause which we call, in the colloquial way, the basket clause. It said the corporation can do anything that was needed to carry out its functions; that's the clause we used. That really provided no accountability.

This clause will provide accountability because the loans will be authorized by an order in council, and they're available to you within seven days of the time they're passed.

Ms. Draude: — Mr. Minister, this particular amendment could significantly increase the liability of CIC and perhaps the government itself. I'd like to know what, if any, mechanism this legislation provides to restrict the liability of the taxpayers' money for lending this type of financial assistance to corporate bodies.

Hon. Mr. Shillington: — This does not increase the liability of

the corporation. It does not increase the corporation's ability to guarantee loans or make advances or any of that sort. It simply makes it crystal clear that the corporation can do that which it has done for many years and increases accountability and the accessibility. So that this does not increase the indebtedness; it just makes the corporation more accountable, I suppose.

Ms. Draude: — Mr. Minister, what type of criteria will the government use when deciding which corporations deserve more of the taxpayers' money as part of a financial assistance package?

Hon. Mr. Shillington: — Well that will vary from time to time and will vary from one period to another. Currently, when the other old-line party was in office, loans were guaranteed — I'm being intentionally provocative — when the former administration was in office, the loans were advanced almost exclusively with a view to economic development. I accused, when I sat in the very seat in fact the member sits in, when I sat over there in the '80s, I used to accuse the corporation, CIC, of force-feeding economic development. And they did force-feed it with really quite disastrous results. So a lot of the loans turned out bad.

Now since between 1982 . . . between 1991 and 1995, the general criteria was restructuring the loans. It really was a period of reconstruction, 1991 to '95 was a period of reconstruction. It took us really that long to clean up the devastation left by the third party when they were in office.

Now 1995 having come and gone, the restructuring having been successful, and indeed the signature on the reconstruction I think with Standard and Poor's upgrade yesterday, that was the sign-off on the reconstruction.

I think we're now able to go back to a more balanced approach to Crown Investments Corporation. We will do some economic development, subject to the criteria, I may say, which aren't very different than what the member from Thunder Creek read in question period today. That really is the criteria which we use. And it has saved this province an enormous amount of money — that criteria which has been that we maximize benefits and minimize risks.

We also want to use the Crown corporations to increase the service to the Saskatchewan public, so that things like cellular telephones, access to cellular telephones, is maximized within our ability to do so. We're now, I think, back to a more balanced approach. Some economic development, but also an emphasis on service to the Saskatchewan public so that the Crown corporations return to their original role of servicing the Saskatchewan public. Economic development is only one aspect of that broader purpose.

Mr. Aldridge: — Thank you, Mr. Deputy Chair, and welcome to the minister's officials here this afternoon, and to the minister, certainly.

Going back to some of my colleague's earlier questions, and I must apologize, I came in a little bit late here, but with respect to . . . you were referring to orders in council that will be

necessary in order for . . . was it just . . . Could you clarify, the parent Crowns to be lending money to whatever shareholders' entity that they might choose, or could you just elaborate a little further.

Hon. Mr. Shillington: — Allow me to be clear about this: the order in councils only apply to CIC, only when CIC advance . . . guarantee loans or advance money in just this section actually . . . (inaudible interjection) . . . Yes. This whole section, Mr. Banda correctly points out, this whole section applies only to CIC.

Mr. Aldridge: — Thank you, Mr. Minister. I have a few . . . Now I'm not sure whether my colleague has questioned you about some of the documents that you had provided with the Bill.

In the explanatory notes, you mentioned that the government believes it must give the Crowns the right to engage in capital market activities and you draw reference to a recent court case in the United Kingdom. Could the minister explain what particular court case this was and when did it occur?

And then also perhaps, before I take my seat and allow you to respond, with respect to that same court case, could you provide an explanation of particulars and how . . . like how it applied to what particular Crowns, please?

Hon. Mr. Shillington: — Okay, it is a decision of the . . . the name of the case is *Hazell v. Hammersmith and the Fulham London Borough Council and others, et al*, I think. It was decided in 1991; it's a decision of the House of Lords. House of Lords, as I think the member's probably aware, is regarded as one of the more authoritative judicial bodies in the English-speaking world.

The essence of the case was that the particular borough involved, which I think was the Fulham London Borough Council, could only loan money . . . Sorry, it could only engage in financial activities if authorized by the statute. These activities can only be engaged in if specifically authorized by the statute. You couldn't refer to what we call the basket of power to do it.

That case had very broad implications because it did not simply apply to this particular borough. It was a decision on how you interpret statutes. Therefore, there was a real fear that a court might also take the same interpretation of the Saskatchewan law since it's a principle of statutory interpretation.

Therefore, out of abundant caution and because we've done this for some time, this amendment is being made to make it clear that companies like SaskEnergy can engage in financial activities.

Mr. Aldridge: — Thank you, Mr. Minister. Now the reference that you've made, *Hazell v. Hammersmith* I believe, would you be able to provide us with the court documents in that regard? I believe it would be of assistance to us. If you'd have a copy, even if you perhaps have it available today, I would appreciate it.

Hon. Mr. Shillington: — I don't actually have a copy in the Assembly, but the page can . . . if I can attract the attention of the page here, I'll ask you to go to the Legislative Library and bring back the volume. It's in the Legislative Library.

Mr. Aldridge: — Could you provide us with some overview or explanation as far as whether the Crown corporations have engaged in capital market activities? And if so, can you tell us under what circumstances that has occurred?

Hon. Mr. Shillington: — Oh, the first question is easy. The answer is yes.

The second question is much more difficult. They're quite varied. All of the Crown corporations may, for instance, purchase contracts which would often be called futures which locks in the cost of supplying a product, natural gas in this case. And that's a future; that is a financial transaction.

The circumstances under which the corporations engage in capital transactions are varied, broad and varied. I provided an example. They may agree to buy gas in the future, natural gas in the future, at a given price. That's a futures contract and is in fact a financial contract. So that's an example, but only an example. A complete description would actually be quite difficult to provide.

Mr. Aldridge: — Then I would suppose then, Mr. Minister, that in terms of whatever authority that such an undertaking would occur, those would vary then as well perhaps. But could you just provide us some comment on that as well.

Hon. Mr. Shillington: — Yes, certainly the circumstances under which the corporations would engage in capital transactions vary as the needs vary. That's particularly true of the energy companies, which the member is probably aware that electrical energy is now one of the commodities traded on the Chicago Mercantile Exchange. Power futures are bought and sold — that's yet another example.

The extension of the commodities markets in recent years . . . and they've become very extensive when you're buying and selling power. It's gone a long ways from the pork bellies and so on that used to consume the market. It's really quite varied; it includes quite a variety of commodities and transactions. A comprehensive description would not be an easy thing to provide, actually.

Mr. Aldridge: — Mr. Minister, it would seem to me though in engaging in these sorts of activities there must be a certain element of risk. Could you make some comment with respect to that?

Hon. Mr. Shillington: — There certainly is an element of risk when you engage in them. There's quite a cost. If you . . . there's quite a cost if you don't engage in them. And indeed, I think I can say, thinking about it, properly managed, engaging in capital transactions reduces and sometimes removes the risk.

Let's go back to the example of buying natural gas on the futures market. By entering into contract which gives you the

right to buy gas at a given contract or sell gas at a given price in the future, you actually reduce the risk and may indeed remove it.

So properly managed, these transactions reduce and remove risk. Improperly managed, they can enormously increase the risk. And that is why we have these very professional and competent people who are assisting me today. They are the professionals who ensure that the management is proper and that these transactions are used to reduce risk, not enhance it.

Mr. Aldridge: — So, Mr. Minister, because within this Bill, when it draws reference to capital market activities, it's very much a generalization, I guess I would say. And now you're suggesting by your comments here this afternoon that the only type of activities that would be engaged in are ones of a, I would say, hedging nature perhaps rather than of a speculative sort of a nature.

Now even when you're engaging in market activities of a hedging nature there would be a certain element of risk in terms of when you would lift a hedge or otherwise. But certainly though, if you're talking about in terms of activities undertaken by anybody within this purview of a purely speculative nature, then we're talking about a whole different element of . . . and level of risk, certainly. And could you please just be a little bit more specific in terms of what capital market activities we're referring to here.

(1545)

Hon. Mr. Shillington: — The member, I suppose, is correct. That's possible, but it is not . . . It's possible but it's not our intention to engage in speculative transactions. These gentlemen are not going to be buying and selling derivatives, by way of example. They aren't going to be buying and selling derivatives, hoping to make a killing on appreciation.

The capital transactions which will be authorized by this statute will be those which a corporation of this sort would normally engage in. And I say again: they will be used to reduce and remove risk, and they will not be used in a fashion which enhances and increases risk. The purpose of these amendments is to reduce risk. We're not going to be engaging in the type of speculative transactions which enhance the risk.

Mr. Aldridge: — Thank you, Mr. Minister, for a certain amount of reassurance, but you're saying the intent on your part and on behalf of your officials here today certainly is not one of engaging in activities of a more speculative nature. But perhaps given the broad and unclear definition here within the Bill before us, it could allow for such activities to occur.

Now I might remind you there's a certain individual who worked for a Barings Bank at one time who thought he could make a pile of dough for that particular institution, trading in derivatives, I believe. And what is to prevent in the future somebody within the structure of government to decide that that's his place within government?

Hon. Mr. Shillington: — There is a check and balance on this.

First of all, as the guidelines laid down by the Crown Investments Corporation, that we don't engage in speculative transactions — speculative capital transactions — not in a business. And any corporation which does, exceeds its mandate.

And apart from any losses they might incur, very severe consequences will follow for management of a Crown corporation which disobey the guidelines on engaging in speculative transactions.

But secondly, quite apart from that, these transactions are all done under the general supervision of the rather cautious folk that I was working with last night — the Department of Finance. Under The Financial Administration Act, the Department of Finance has overall supervision of this; so that's another check and balance.

But the first check and balance is that guidelines set out by Crown Investments Corporation prohibit it. That's the policy. As I say, the most severe consequences would fall on any management which disobeyed that and begin to engage in speculative transactions.

Mr. Aldridge: — But, Mr. Minister, with respect to the activities that I'm suggesting — you know, heaven forbid, but which might occur — am I to understand that there is a zero tolerance within the Crown sector in terms of — I'll refer to it as a position — taking a speculative position of any nature? Or maybe a better way to put it, as a part of your risk management, do you maintain position levels within your department where you cannot exceed a certain dollar value at risk in any particular capital market transaction.

You refer to some checks and balances, and I would just like to know if . . . could you elaborate a little bit further. And perhaps whether or not those checks and balances that you're referring to are across the board, so to speak, or do they vary from one Crown to the next? Would they vary within one Crown entity?

For example, and I'm not suggesting this is a case, but let's say a SaskTel International — a gentleman under the employee of SaskTel International working in the U.K. (United Kingdom) — would somebody such as that have any authority to enter into any sort of a trading activities?

And that being the case — and I know, given this is in terms of technology, we're not that far apart, but the fact that they're not under somebody's immediate, watchful eye — again I'll just draw the attention to the members opposite and to the minister and his officials that there was a gentleman in Singapore who got away with a lot more, even though there were checks and balances, I'm sure, in place within that institution and even though there might be severe penalties.

I would suggest that the most severe penalty of all will be what the taxpayers of this province have to pay if any individual or individuals such as I'm describing could ever have more of a free rein for a very . . . it doesn't have to be a very long period of time. We will be the ones who will be left having to pay for their actions. Could I just have some comments in this respect?

Hon. Mr. Shillington: — The member refers to the failure of the Barings Bank as a result of some transactions in Singapore. It is almost inconceivable that such a thing could happen here for a whole variety of reasons which I won't waste your time going into.

For one thing, we do not . . . for one thing, we're only dealing in the commodity which is the corporation's business — gas. We're not flipping investments and speculative investments at will here.

Moreover, there is the normal controls which apply to any Crown corporation. No one person has the authority, in and by themselves, to make these kind of transactions. Transactions must be approved by various levels. What happened in the Barings Bank in Singapore was, these controls completely broke down. And it is inconceivable, really quite inconceivable, that that kind of thing would occur here.

And indeed, in a note passed to me, the staff point out that there are controls on both sides of the transactions. We have the normal accounting controls, but so do the brokers who work on the other side. So it is really inconceivable that such a breakdown of controls could occur here.

Mr. Aldridge: — Mr. Minister, I know you're saying or suggesting it's inconceivable. But I'm sure that the people within the Barings Bank had thought the same.

But I wonder, has it ever been tabled within the Assembly with respect to your checks and balances, with respect to more precise position limits that you may maintain within the Crown sector, within the Crown Investment Corporation; have you ever made this information public to us in the Assembly previously?

Hon. Mr. Shillington: — Yes indeed. Not here, because these are not our checks and balances. These are checks and balances in SaskEnergy, and actually some SaskEnergy people here, or SaskTel or SaskPower. Indeed there is a forum to do that, and that's the Crown Corporations or Public Accounts. It may arise in either.

I remember many years ago, when I was chairperson of the Public Accounts Committee, spending a fair time with the Provincial Auditor reviewing this very subject of what kind of controls are appropriate in Crown corporations to ensure individuals cannot damage or destroy public property. So there is a forum to discuss it. That forum would be Crown Corporations Committee, and I don't know if the Crown Corporations Committee has completed its review of Crown investments or not . . . no, it hasn't, so you will still have an opportunity to raise this very issue in Crown Corporations; that's really the proper forum.

I've been trying to be as candid as I can with the member from Thunder Creek, but this subject really is a way outside the limits of this Act.

Mr. Aldridge: — But, Mr. Minister, though surely, when we as opposition are trying to determine . . . and given the rather

broad description here in terms of capital market activities that we see before us today, certainly I don't think it is too much to ask that we should at least have . . . even if perhaps one of your officials here today representing a department — you suggested SaskEnergy — perhaps if you could elaborate as far as what position limits or checks and balances they may have in place in terms of the types of market activities that they may fall within here, within this Bill.

Hon. Mr. Shillington: — Well a complete description, I mean that's a volume. There are limits with respect to each level of official. There are limits to what they can engage in. Most of these transactions must be approved by more than one person. Transactions over a certain amount must be approved by an executive officer, and over a certain amount must be approved by the board of directors. These are simply the normal controls which any corporation exerts. Whether they deal in gas, pork bellies, or manufacture of widgets, all corporations basically have these same controls.

And the member raises a spectre of another Barings Bank. What happened in the Barings Bank was, these controls completely broke down and weren't being observed. Bad management can always occur. I only say to the member opposite that whatever the failings of this government has been, we've not been accused of weak management.

Mr. Aldridge: — Mr. Minister, I'd asked the Clerks to distribute a copy of a couple of amendments that we do intend to propose. And I have to apologize; I had intended to do that earlier and it slipped my mind. But can I just make one mention . . . one important tool of accountability for the taxpayer and for us as opposition is freedom to information. And this policy was introduced by the Tories and proclaimed by the NDP, and we maintain that that was a positive move.

Now I've used that on a number of occasions, and often I'm told that we can't get information because it will reveal secrets of private sector partners. And I, you know . . . this is an old excuse.

Granted, the minister is giving the Crowns more powers to engage in more deals here today. And most of the deals will not be made public because it might hurt private partners . . . and the member from Regina South refers to Crown Life. Well they were of course referring to, and I'm sure he means, HARO Financial Corporation, and you've tabled some answers to us earlier in the week in fact. I believe one of them was. And really, as you're aware, the answer was not adequate.

Given this, I wonder what the minister thinks about exploring an idea that when private sector partners sign most or certain types of deals with the Crown corporations, that they should include . . . that you should include some sort of a clause that would ensure taxpayers would have access to information pertaining to those sorts of agreements or deals.

And could I just get your thoughts on that, please.

Hon. Mr. Shillington: — The current legislation . . . first of all, let me say I agree with the minister to . . . agree with the

member to the fullest extent possible. The public ought to have complete, unimpeded access to all information where it concerns the transactions involving public property of Crown corporations.

These are their Crown corporations and they have every right to all the information which is available, save and except information which is required to be confidential by reason of commercial competition. And that really I think is the effect of the current Freedom of Information Act. So I think you now have available to you all information which exists except that which would be commercially imprudent to give you.

I may say that I've been minister of this Crown corporation three times in the last five years, actually and in all those occasions . . . (inaudible interjection) . . . yes, that's right. I have a varied career here. In all those occasions when we went before Crown Corporations that was our criteria as well, exactly the same criteria. The public have a right to all information unless there's a legitimate concern about giving other corporations a competitive advantage. But apart from that, all information is available.

That's been the approach before Crown Corporations. That's the rule with respect to freedom of information, so I think the member now has complete information, both in Crown Corporations and in the other respects.

(1600)

Mr. Aldridge: — Thank you, Mr. Minister. But . . . maybe whether I was clear enough or not or whether I missed it in your response, but what I was trying to establish here is, with respect to structuring future agreements, would it not seem prudent to include within such agreements that any partners that you enter into an agreement with realize within that agreement that they're subject to the freedom of information Act.

Hon. Mr. Shillington: — That's not always possible. In many cases those who do business with us would refuse to do business with us on that basis. That's just simply not possible. We enter into a variety of arrangements with a variety of concerns, some of them public, some of them private. And it's just simply not possible to say to everyone: you're dealing with a public corporation. Everything you provide to us is going to be made public. It just is not possible. It would not be possible to do business on that basis.

Mr. Aldridge: — Well thank you, Mr. Minister, but I would just remind you, if this sort of undertaking was followed through upon, it would prevent — I'm sure — instances of . . . like the Promavia's the GigaText's. Certainly people like this would never sign a contractual agreement suggesting that they would have to make all information public. Could you just make one further comment before I take my place.

I know we could go back and forth about this for quite some time. We have some major philosophical differences here, I think, with respect to this Act, but I just would like a further comment. And I hope you and your officials here realize today that we are genuine in our concern for the people in this

province in asking the questions we have put to you today. We've spoke at some length in second readings and adjourned debates with respect to this Bill. We've tried to make our points known. I hope that the people in the province will feel that we have made a genuine attempt on their part to do so.

And as I've related to you, we have a couple of amendments here that we will be introducing at the appropriate time. But if you would just like to have one further comment, please.

Hon. Mr. Shillington: — This is a subject about which I've given an enormous amount of thought. I spent 10 years in opposition battling a government who I felt was being . . . menacing the government if you like, who I felt was being completely irresponsible in its use of public property.

We have spent, together with my colleagues, spent four years in government trying to clean up the mess which was created when our worst fears were realized. So I've spent a fair amount of time thinking about this. I believe there is only really one . . . there's only really one check and only one way of preventing a reoccurrence of that style of governing, and that is an alert, vigilant public.

At the end of the day, the only real . . . and an able, well-informed opposition. I agree with the member from Humboldt . . . (inaudible interjection) . . . Yes, I'm sorry. I misnamed your riding. I agree with the member.

An alert opposition serving an equally alert public are the only way of preventing it. Nothing you put in this legislation would prevent a reoccurrence of the 1980s. Only a properly functioning democracy and a properly functioning opposition to keep a government on its toes will truly do the job.

Just let me close by saying I'd be the first to admit the sincerity of the members opposite. I'd be the first to admit the legitimacy of your role; and it is important, I think, in any functioning democracy that the opposition do its role well. I'm a strong believer that good opposition makes good government.

I sent the page away for the copy of the House of Lords' decision. Somewhat to my surprise, they don't carry this particular volume. Certainly we have it back at the office and these gentlemen will forward a copy of this decision to you.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

Clause 4

Mr. Aldridge: — Thank you, Mr. Deputy Chair. We wish to introduce an amendment with respect to clause 4 of the printed Bill, and we propose that we:

Amend clause 4 of the printed Bill by deleting the clause and substituting the following:

“4 Subsection 6(1) is amended by adding the following clause after clause (p):

“(p.1) subject to the approval of the Lieutenant Governor in Council, amalgamate with a subsidiary Crown corporation”.”

Hon. Mr. Shillington: — Thank you very much. We have discussed this in some detail under the general provisions of clause 1. I'm not going to repeat that. Suffice it to say, for the reasons I've discussed earlier, I'm going to urge the members of the Assembly to vote against this amendment.

I'd be the first to recognize the sincerity of the members opposite. This is a subject about which honest people will disagree. We believe the provision which we have set out enhances the accountability and enhances the protection given to the public. The member disagrees, and I guess that's what this legislature's all about.

The division bells rang from 4:07 p.m. until 4:09 p.m.

Amendment negated on the following recorded division.

Yeas — 6

Osika	Aldridge	Draude
Belanger	Bjornerud	Gantefoer

Nays — 26

MacKinnon	Shillington	Anguish
Atkinson	Johnson	Goulet
Lautermilch	Upshall	Kowalsky
Calvert	Pringle	Bradley
Teichrob	Nilson	Cline
Serby	Stanger	Hamilton
Murray	Langford	Wall
Ward	Sonntag	Jess
Flavel	Thomson	

Clause 4 agreed to.

Clauses 5 and 6 agreed to.

Clause 7

Mr. Aldridge: — Thank you, Mr. Deputy Chair. I propose that we:

Amend clause 7 of the printed Bill by deleting subsection 45.1(2) as being enacted therein and by renumbering subsequent subsections (3) and (4) as subsections (2) and (3) respectively.

Hon. Mr. Shillington: — Yes, I make the same comments. We discussed these earlier. You have your view. Our view is that the existing provisions will enhance public protection and accountability and I would urge the members of the Assembly to defeat this amendment.

The division bells rang from 4:12 p.m. until 4:13 p.m.

Amendment negated on the following recorded division.

Yeas — 6

Osika	Aldridge	Draude
Belanger	Bjornerud	Gantefoer

Nays — 25

MacKinnon	Shillington	Anguish
Atkinson	Johnson	Goulet
Lautermilch	Upshall	Kowalsky
Renaud	Calvert	Pringle
Bradley	Teichrob	Nilson
Cline	Serby	Stanger
Langford	Wall	Ward
Sonntag	Jess	Flavel
Thomson		

Clause 7 agreed to.

Clause 8 agreed to on division.

The committee agreed to report the Bill.

THIRD READINGS**Bill No. 88 — An Act to amend The Queen's Bench Act**

Hon. Mr. Nilson: — Mr. Speaker, I move that this Bill be now read the third time and passed under its title.

Motion agreed to, the Bill read a third time and passed under its title.

Bill No. 91 — An Act to amend The Summary Offences Procedure Act, 1990

Hon. Mr. Nilson: — Mr. Speaker, I move that this Bill be now read the third time and passed under its title.

Motion agreed to, the Bill read a third time and passed under its title.

Bill No. 44 — An Act to amend The Crown Corporations Act, 1993

Hon. Mr. Shillington: — I move the Bill be now read a third time and passed under its title.

Motion agreed to, the Bill read a third time and passed under its title.

SECOND READINGS**Bill No. 111 — An Act to amend The Teachers' Life Insurance (Government Contributory) Act**

Hon. Ms. Atkinson: — Thank you very much, Mr. Speaker. Mr. Speaker, I'm pleased to explain the purpose of these amendments to the legislation for the teachers' group life insurance plan.

Secretary-treasurers of Saskatchewan school divisions do not have their own group life insurance. For convenience sake, they're covered under the provisions of the teachers' life insurance plan which is administered by the Teachers' Superannuation Commission.

For a number of years, the teachers' life insurance plan has included provisions whereby retired teachers can maintain their insurance coverage until age 75. Premiums for teachers who are still working are shared equally between teachers and the government. Retired teachers are responsible for 100 per cent of the premiums.

Mr. Speaker, until now these provisions for retired teachers have not applied to retired secretary-treasurers. These amendments to the Act will extend the option of continued insurance coverage to this group. As with retired teachers, the retired secretary-treasurers will be responsible for payment of 100 per cent of the premiums.

The teachers' life insurance plan is one of the items covered by the provincial teacher bargaining. This being the case, any changes to this legislation must be approved by the parties to the collective agreement. Government, school trustees, and the Saskatchewan Teachers' Federation, have all agreed with these changes through the provincial negotiations.

Mr. Speaker, these amendments will be of benefit to Saskatchewan secretary-treasurers in Saskatchewan school divisions and have the support of all of the concerned organizations.

I'm therefore pleased to move that Bill No. 111, An Act to amend The Teachers' Life Insurance (Government Contributory) Act be now read a second time.

Mr. Bjornerud: — Thank you, Mr. Speaker. I'm just going to offer a few brief comments on this Bill before we ask that it be passed on to Committee of the Whole for further clarification.

Mr. Speaker, Bill 111 offers some amendments to The Teachers' Life Insurance Act and I don't want to go on very long with this since any concerns or questions we might have will best be addressed in committee.

Mr. Speaker, we all recognize the importance and contributions of teachers in our province. But when we recognize educators in Saskatchewan, so too must we recognize the importance of those who provide the administrative guidance to schools and school boards.

Secretary-treasurers of school divisions are valuable individuals who can contribute much to the education of our children, through their valuable expertise at the division level. The public and the students may not see these people at work every day as they do their local, hard-working teachers, but that doesn't mean the work of our secretary-treasurers is not vital.

Mr. Speaker, Bill 111 does recognize in some small way these contributions by extending life insurance coverage to them even after they retire. This is not currently possible under the Act. As

I understand it, prior to these amendments, secretary-treasurers were not eligible to continue with the teachers' life insurance plan. As is the case with retired teachers, retired secretary-treasurers can choose to carry on with their life insurance plan if they want to pay premiums directly out of their own pocket.

I assume in bringing this Bill forward the government has had a request from superannuates, current secretary-treasurers and/or the teachers' federation to make this change.

Mr. Speaker, we have no major objections to this move if it is in the best interest of the affected parties and isn't added to the cost to the people of Saskatchewan. So for now we are willing to let this pass on to Committee of the Whole for some further explanations and clarifications. Thank you.

Some Hon. Members: Hear, hear!

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

Bill No. 112 — An Act to amend The Teachers Superannuation and Disability Benefits Act

Hon. Ms. Atkinson: — Thank you, Mr. Speaker. I'm pleased to explain the purpose of these amendments to the teachers superannuation legislation. I should begin by clarifying, Mr. Speaker, that the statute involved governs what is sometimes called the old, teachers superannuation plan, that is, the formula plan administered by the Teachers' Superannuation Commission. It does not deal with the Saskatchewan teachers retirement plan, the newer plan administered by the Saskatchewan Teachers' Federation.

Superannuation is one of the items covered by provincial collective bargaining with teachers. Saskatchewan teachers recently ratified a new two-year collective agreement for calendar years 1995-96. The purpose of these amendments is to incorporate into the Act a couple of new superannuation provisions which are included in the collective agreement.

There are two amendments, both of which deal with the ability of teachers to have certain periods of service credited to them for pension purposes. Teachers who have had at least 10 years of service under the plan in Saskatchewan are currently entitled to purchase certain types of teaching service. At present the 10-year requirement means 10 full-time equivalent years.

For example, a teacher employed only half time would not be eligible to purchase such service for 20 years. Under the new provision, part-time service will be considered equivalent to full-time service for purposes of determining eligibility to purchase outside service. This concept already applies elsewhere throughout the Act and is now being incorporated into this particular section as well.

The second amendment deals with categories of service which, under certain circumstances, teachers will now be able to purchase for pension purposes. There are four new categories, each affecting only a small number of teachers. These include

service with a provincial government school, with the Saskatchewan urban native teacher education program, with one of the two universities, or with the Department of Education.

In order to purchase these periods of service, teachers will be required to contribute both the employee's share and the employer's share of the cost. There is no requirement that the government match the employee contribution in any of these cases.

As I've indicated, Mr. Speaker, these provisions have been included in the new collective bargaining agreement for teachers and now must be reflected in amendments to the Act. They will help to make the Act more internally consistent and will assist a small number of teachers who would otherwise be unable to have certain periods of teaching service credited toward their pensions.

I am therefore pleased to move that Bill No. 112, An Act to amend The Teachers Superannuation and Disability Benefits Act be now read a second time.

(1620)

Ms. Draude: — Thank you, Mr. Speaker. Mr. Speaker, I want to make a few brief comments on this Bill before we pass it on to committee. Mr. Speaker, Bill No. 112 deals with the issue of teachers' pensions or at least some aspects of teachers' pensions.

Mr. Speaker, of course when the issue of pensions for our educators come up, the further issues of unlimited pensions liabilities are sure to follow. It's an area that should be of concern to this government as it is to every resident of the province.

However, leaving this issue aside for now, Mr. Speaker, I'll just deal with a few basics contained in this particular Bill. We have not had a lot of time to study the Bill fully or receive feedback from stakeholders. But I'll offer some precursory comments here and save the more specific questions and comments for committee.

Mr. Speaker, it appears the main focus of Bill 112 is to recognize more services in the field of education that are eligible for teachers' superannuation and disability benefits, services that do not necessarily take place in the classroom or indeed even in the schools themselves.

Mr. Speaker, quite often in our province, members of our teaching profession take up other duties in the education field. And while these duties or positions do contribute to the whole realm of education, some are not currently eligible for pension benefits. It appears Bill 112 will make these services eligible for such pension benefits with some modification. Teachers who go on to other duties such as working directly in the Department of Education or at one of our universities will now be eligible for pension benefits, the difference being the person in question would have to make both the contributions for the employer and the employee.

In committee we'll be asking the minister what effects, if any, this change will have on the current pension fund. We can only assume, as is the case with changes to other pension plans undertaken in this session of the legislature, these changes were proposed in full consultation with the affected parties. Again we'll be asking the government for that assurance.

The other major change proposed in Bill 112 is to the eligibility requirements for purchasing outside services for those teachers who have taught part-time. The change would now count part-time work as the equivalent to full-time under the eligibility requirements for purchasing certain types of teaching experience outside the province.

As I understand it, under this amendment, teachers with 10 years service, be it full-time or part-time, will now meet these eligibility requirements. While we don't believe this change will have a major impact, we will be asking the minister to clarify this clause when the Bill comes up in committee.

Mr. Speaker, we're still waiting for some feedback from certain stakeholders and legal counsel regarding this Bill, but I see no point in holding it up at this point, and we move it on to Committee of the Whole. Thank you.

Some Hon. Members: Hear, hear!

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

Bill No. 109 — An Act to amend The Vital Statistics Act, 1995/Loi modifiant la Loi de 1995 sur les services de l'état civil

Hon. Mr. Cline: — Thank you, Mr. Speaker. I rise to move second reading of The Vital Statistics Amendment Act, 1996.

The primary purpose of this Bill is to make the current legislation compatible with Saskatchewan's post-adoption initiatives and to remove certain inequities in the process we use to make changes to birth and stillbirth records in Saskatchewan. As well there are two housekeeping provisions being proposed.

Mr. Speaker, in January 1995, the Minister of Social Services announced a two-part expansion of post-adoption services in Saskatchewan. The first element was introduced last spring. It allows the search for an adult adoptee to be undertaken at the request of the birth parent. The search is conducted by the Department of Social Services. Any information which might identify the adult adoptee is provided to a birth parent only with the consent of the adult adoptee. Should both parties agree to exchange identifying information, the exchange is facilitated by the Department of Social Services.

The second part is scheduled for introduction on September 1 of this year. It will allow either the adult adoptee or the birth parent to request from Social Services a copy of the adult adoptee's birth registration where both the adult adoptee and the birth parent have consented.

So in other words, Mr. Speaker, if a person who has been

adopted becomes an adult, that person can go to Social Services and say, I consent to my birth parent getting in touch with me. Similarly the birth parent can go to Social Services and say, I'd like to get in touch with the child that I gave birth to but who was adopted out. And if both of those parties agree, then the Department of Social Services can facilitate an exchange of information between them. That is already in place.

What this does is not to give effect to that. That happens already. This would allow certain officials under vital statistics to release information to the adult adoptee and the birth parent if both of them consented.

Our current legislation does not permit vital statistics to release a copy of the birth registration to an adult adoptee or birth parent. In such cases, only post-adoption particulars can be released. Also the legislation does not permit the release of copies of adoption registrations or supporting documentation.

This amendment, Mr. Speaker, will rectify this matter. It will allow for copies of these documents to be released to the Department of Social Services. It will actually be the Department of Social Services, Mr. Speaker, that the documents will be released to, not to the parties directly. These amendments really are consequential to what is taking place under The Adoption Act already.

The second amendment, Mr. Speaker, removes inequities in the system we currently use with respect to the registration of a birth or a stillbirth in Saskatchewan. Currently there are two separate methods in place with respect to naming a child at birth: amending parental particulars on a birth record, and re-registering a birth where the birth parents marry one another after the registration of birth has been filed with the vital statistics branch. The amendments unify the two processes into one. This will simplify the administration of the legislation and will provide consistency and fairness to the parties involved in the registration of the birth or stillbirth of the child.

The remaining two amendments to this Act, Mr. Speaker, are of a housekeeping nature. The first of these deals with local improvement districts. Local improvement districts no longer exist; therefore the provisions in the Act referring to these districts are being repealed. The second housekeeping amendment, Mr. Speaker, deals with the remuneration schedule for division registrars. Such schedules are normally prescribed in regulation rather than legislation. We are therefore amending the Act to provide for the prescribing of these fees in the regulations. Mr. Speaker, these are the main provisions of this Bill.

Accordingly, I hereby move second reading of The Vital Statistics Amendment Act, 1996.

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, as you know we originally agreed that this Bill was non-controversial and passed it through to the Non-controversial Bills Committee. Typically Bills that end up in front of this committee have just a few minor changes that don't affect the law. For example, most of the Bills that we passed through had a few slight changes in translation or changes to the English words to clarify meaning.

But this Bill, An Act to amend The Vital Statistics Act, is more comprehensive than just changes to wording. Therefore we believe that it warrants more attention from the members of this Assembly.

Mr. Speaker, this Act deals with the documentation of births, deaths, adoptions, and other vital statistics. One of the main changes in Bill 109 is necessary because the Department of Social Services will expand their post-adoption services in September. This means that in cases where adult adoptees and their birth parents both agree, the adult adoptee and/or both birth parents will be able to access birth particulars.

I can see this being particularly important for health reasons. Knowledge goes a long way towards prevention. If a person knows they have a predisposition to a certain condition or disease, they will be better able to take preventative steps. But, Mr. Speaker, it's not just good for health reasons. It provides adult adoptees with a chance to find answers to questions that may have been plaguing them all their lives. In the cases where it's mutually agreed, I see no reason why these records should be withheld.

Another change outlined in this Bill includes more fair and consistent rules when it comes to registering births, naming children, amending parent particulars on the record, and legitimizing births. I believe it makes more sense to have one set of rules. This should help create less confusion and hopefully somewhat less bureaucracy.

Mr. Speaker, I want to make it clear that we are not against the changes proposed in this Bill. And to a large extent, they are little more than housekeeping. At the same time, they are not inconsequential, so as elected officials we deserve to discuss these changes and make sure that they will not have any negative effects on the people of this province. I see no reason to hold it up further, but we do look forward to discussing it in the Committee of the Whole. Thank you.

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 20

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Scott that **Bill No. 20 — An Act respecting the Management of Forest Resources** be now read a second time.

Mr. Belanger: — Thank you, Mr. Speaker. I'm extremely pleased to have this chance to talk about the government's proposed Forest Resources Management Act. This is a Bill which needs extensive, detailed discussion because it could have repercussions on the province's economy and on our forests for many, many years to come.

The NDP government should not make rash decisions in a

desperate attempt to ram through another piece of legislation. Because this Bill is not about changing a wording on a law, it's not about correcting spelling, and it's not about translating simple ideas into complex legalese.

This Bill is about one of the most important natural resources in Saskatchewan. It's about an industry that brings millions and millions of dollars into our economy. But it's also about the traditional lifestyles that are deeply rooted in our forests. And this is why, Mr. Speaker, I feel that I must address some of our concerns about this Act in the House today.

Mr. Speaker, in the government's press release sent out a few weeks ago, the Minister of Environment and Resource Management touted this Bill as the greatest thing going. He said, and I quote: "This legislation will provide a strong framework to ensure healthy economic growth is balanced with a healthy forest".

The release then goes on to talk about the many opportunities for involvement in all levels of forest management planning and on and on and on. If the minister was to be believed, that this Bill would make everyone happy from the first nations people to the multimillion dollar forestry companies to Metis groups to small business and northern communities, he has another think coming.

In the March 15 article in the *Leader Post*, the minister apparently said that, quote, he doesn't expect the backlash from industry partners because of the consultation he's done with them. But this consultation certainly seems to be news to them.

On CBC (Canadian Broadcasting Corporation) radio, forestry officials were clipped as saying they hadn't met with the Environment minister and that they had ideas they wanted to share with him but he thought the consultations was complete.

Of course, that shouldn't be really a surprise to us, knowing that this government's idea of consultation is based on talking at people and not listening to them.

The NDP government is gaining a reputation as a government that holds open consultations and then does whatever it was planning to do in the first place. The pre-budget consultation and the SaskPower increases were a prime example of this, Mr. Speaker. Maybe someone should tell the members opposite that they've got the consultation process mixed up. First you talk to people. Then you make your proposal.

It's a simple concept, Mr. Speaker, at least for people not on the government side of the House. I find it hard to believe that the minister is naïve, that he actually thinks that the people affected by the forestry industry will wholeheartedly support this Act, hook, line, and sinker, unless they have been involved.

In the March 22 *Leader-Post*, Saskfor MacMillan president, John Robillard said:

"There is . . . middle ground and through negotiation we're going to get there.

Last week, it began to sound like the government was going to mandate changes, not negotiate. That was our concern.”

Negotiation, that is their concern and that is our concern as well. I'm not denying that there are some aspects of this Bill which seems, at least on the surface, to work towards sustainability. For example, subjecting all companies 20-year forest management plans to the environmental impact process is a step in the right direction. Of course it shows the government's turtle-like pace.

(1645)

The industry had the forethought and the vision to introduce these standards years ago, long before the light bulb went on in the NDP caucus. It is only unfortunate that the NDP can't learn from these forestry companies, Mr. Speaker.

We're also pleased to see that provisions have been made to ensure that treaty rights to hunt, fish, and trap are respected. However the question still remains of the impact on the Metis people and all the communities of the areas involved with this issue. It is all too easy to look at our forests as financial windfalls and forget that their value runs much deeper than that.

Our forests have an inherent value that cannot be measured in dollars and cents. They provide sustenance for many people, and traditional forest users have a right to maintain their heritage. However in the best interests of everyone, long-term, comprehensive management plans can help maintain the delicate balance between economic growth and traditional forest use. Protecting the forest from overdevelopment now should help to ensure they remain sustainable in the years ahead.

Another measure this Bill introduces is forest pest control. Dutch elm disease, forest tent caterpillars, canker-worms, gypsy moths, and so many other diseases can severely damage our trees. Although we realize that nature relies on continuous cycles of natural controls, human intervention can help minimize the loss of trees.

The same holds true for fire control. Last year we lost thousands of hectares to uncontrolled forest fires. Many people in northern communities were evacuated because forest fires were threatening to destroy their homes and their businesses. The fires also deterred thousands of tourists who had planned to fish, hunt, and camp. That of course meant a huge loss of money to residents relying on this money to feed their families.

Keeping pest and forest fires under control is important, particularly if you continue to harvest trees for economic gain. But the government has proposed sharing these prevention costs with forestry companies, which apparently has the industry officials fuming.

Again in the March 22 *Leader-Post*, Steve Smith from Weyerhaeuser is quoted as saying that “government should pay for fire suppression and control of insects and disease” because the forestry also includes recreation areas and private property.

This is a tricky issue and one that deserve further negotiations. I think the pros and cons of shared pest and fire control need to be more clearly defined before any solid proposal is put forward.

Mr. Speaker, in news story after news story, forestry industries officials claim that these changes will have a devastating impact on the industry. In one *Leader-Post* column, a MacMillan Bloedel official suggested that the minister must not be thinking clearly or consulting with proper people if he thought that this new legislation would encourage a healthy forestry industry. This does not show how unhappy the forestry companies are with this proposed legislation.

Forestry officials themselves are asking who the government has been consulting with. They are upset that the government is planning to dump millions of dollars in expenses onto the private industry.

The president of the council of Saskatchewan forestry industries claims that, in his words, “the industry can't withstand a \$25 million increase in government expenses.” And they have the right to balk at the cost that will soon be offloaded onto them.

Some of these increases outlined in this new Act include: increased inventory costs of \$15 million to pay for forest mapping and surveys; an extra \$4 million in seedling costs for trees the province currently provides to industry; new insect and pest control expenses of 3 million; backlogging costs of 1 million; higher fire-fighting costs of 12.5 million; and doubling of revenues the province gets from stumpage fees to 7 million from 3.5 million.

Mr. Speaker, in a province that already discourages economic growth due to its stagnating tax policies, is only good to drive away more companies by imposing these types of expenses on forestry companies that are currently operating in Saskatchewan.

This does not include the number of companies that won't even consider Saskatchewan for the expansion of industry, due to increasingly stifling economic situations that pervade every sector of our economy.

Mr. Speaker, the forestry companies are an extremely important part of our economy and they do provide a large number of jobs for people in northern Saskatchewan. But they are not the only ones who will be affected by this piece of legislation.

Mr. Speaker, I'm very concerned about the well-being of the everyday people who rely on the forests of the North for their livelihood. I am concerned about the elders who pick berries in these forests. I am concerned about the people who use the herbs and grasses of the forest for medicinal purposes. I am concerned about the men and women who collect firewood in these forests for sale to local people, and of the people who've enjoyed this land for many, many years.

What impact will this Bill have on these people, Mr. Speaker? Have they ever been considered in this equation? The Metis

population of the North has been ignored by governments in many years and they are tired of it, Mr. Speaker.

This government cannot claim to have consulted with the people of the North because none of the Metis communities have had a say in what is going on. These people already felt caught in the middle and the government is isolating these communities even more.

The people living in the North have a number of concerns with the possible implementation of this Bill. First, they are worried what's going to happen to their hunting, fishing, trapping, and harvesting rights — rights they have enjoyed for centuries, Mr. Speaker.

They worry about the impacts of needing permits and licences and the headache that will arise out of being the exception to the rule. Many people have told me that sharing information is not consultation, no matter how you look at it. These people know what decisions were made long before they were ever spoken to.

What this government really needs to do is open its eyes and become aware, understanding, and tolerant of the socio-economic and political aspirations of the aboriginal citizens of the North, which includes the Metis population.

These people vote; they are entitled to equal representation. Yet for some reason they feel ignored, misunderstood, and lacking in the ability to make a difference. They feel powerless over policies such as this, Mr. Speaker. This provincial government must acknowledge, recognize, and understand the inherent right of the first nations people as well as the rights of the Metis.

There are over 32,000 people living in the northern part of this province. Why do these people feel as though they do not count as equal? Because they have not had any significant impact on this Bill. Why do these people's wishes get put on the back burner by this government on a constant basis . . . to be stopped. Because they want to be heard, Mr. Speaker.

The concerns over berry picking and the use of medicinal herbs are not the only concerns of the people of the North. They want the assurance that forestry companies will continue to be viable in this province so that well-paying jobs continue to be available to our northern people.

In an area where unemployment reaches 70 to 80 per cent and where the number of people with a grade 12 education is low, viable jobs are extremely important to the people of the North.

Again, Mr. Speaker, making it harder and more expensive for forestry companies to operate in Saskatchewan is a devastating blow to the people who depend on these companies for jobs and economic well-being.

It is important for this government to understand and acknowledge the importance of the utilization of renewable forest products by the aboriginal people of northern Saskatchewan. Harvesting berries, mushrooms, and fiddleheads provide economic opportunities for a number of aboriginal

people in the northern parts of this province. On an average year, Mr. Speaker, over 47,000 pounds of wild rice and/or wild berries are harvested and sold in northern Saskatchewan. In 1991 berry harvesting created over \$90,000 in income to the people who picked those berries in our province's northern wooded areas.

It is easy to see why there's a great deal of concerns over the impacts that this Bill before us will have on the people involved with this particular small industry. To add to this, value added processing opportunities had been associated with the marketing of fiddleheads, mushrooms, wild herbs, plants, fish, wild rice, etc.

Floral industries in the United States provide Saskatchewan with a steady market for forest products such as birch bark sleeves, dead twigs covered with the old man's bird moss, reindeer moss, and several varieties of peat moss, spruce, and jack pine cones, as well as a number of different and wild mushrooms. Softwood cones are also often picked for sale as seed stock for nurseries.

This is not obviously a trivial matter for the people involved. And northern communities are demanding that this government pay more attention to the people of the North that are affected drastically by legislation introduced in this House.

Simply because these people are out of sight does not mean that they should be out of mind, Mr. Speaker. Negotiations between the provincial government, forestry industries, and aboriginal peoples of the North must improve and continue to grow in order to ensure that all future forest management plans reflect the principles of holistic land use that is the very heart and soul of the people of the North.

We all understand that the government and issues and the people in the North need to communicate and work together to recognize the socio-economic changes that are needed in order to be able to compete on the international scale.

People though must be considered equally as important as the timber and mineral resources. They are, after all, our human resources. Holistic management planning, the type so desired by the people of the North, involves extensive consultation, negotiation, and the basic understanding of the aboriginal way of life by governments and industries in the North.

I fully understand the extensive work that has gone on in tabling this piece of legislation in the House this session. Consultation has occurred on a limited basis over a period of the past few years. A cabinet approved policy framework was established a few years ago, followed by the creation of the Saskatchewan long-term integrated forest management plan.

In 1994 the forestry legislation advisory committee was established to review background documents on related forest policy with the objective to formulate a new forest Act.

In March '95 a white paper on the proposed forest management Act was introduced, and later on that month a new legislation supporting the improved use, management, and protection of

Saskatchewan's forest resources was introduced by the Minister of SERM (Saskatchewan Environment and Resource Management).

Now for the life of me I cannot figure out when and where all the consultation took place, because there are a number of Metis communities that feel totally left out of the process. Many people feel that the people on the advisory committee were in a position of a conflict of interest while others see this committee as a smokescreen in the drafting of the actual piece of legislation.

There are major, major gaps in communication between aboriginal communities and the people who ended up drafting this legislation that'll have an effect on all of us.

It is not only the aboriginal and Metis communities that are upset with the lack of consultation that went into drafting this legislation; forestry companies are also scratching their heads. What happened to their input?

Forest product producers have expressed some concern over the past few months with regards to the offloading of financial resources by the government onto industry. The industry are not in the position to accept this offloading principle for the required financial resources needed to sustain forest resources.

Due to the strong reaction to this legislation by both forestry companies and the aboriginal peoples, the government will no doubt be willing to further discuss this issue of concern.

It is important to understand that this is not the only piece of legislation that affects the forestry industry in Saskatchewan. This industry is impacted by a number of government departments, their respective legislation, policies, and their related costs. Recent increases to Workers' Compensation Board costs, fuel taxes, highway expenditures, all challenge the competitiveness of the forestry industry in this province.

Mr. Speaker, in closing, many aspects of northern life have been excluded from this Bill. Northern communities have no ownership in the companies that are operating in their backyards. These people have no ownership in the companies, and they therefore have no say in the co-management process. They have no control over land in which they live in, and they have no assurances that this Bill will be in their best interests.

The people of the North deserve an equal say in the economies of the North. With no ownership in the companies, they have no say, no profits, no decision-making abilities, and no employment guarantees. If this government would explore co-management options, opportunities for the people in these northern communities could flourish as could the industries that are there.

Mr. Speaker, I would ask the minister how he expects the North to support this Bill when these people have been ignored for so long and have been left out of the consultation process. For years the people have been asking for their fair share, not welfare, Mr. Speaker. For years they've been asking for better roads and highways, not social problems. For years we have

asking for equal opportunity, not to be ignored by the present government. And for years, Mr. Speaker, the people of the North have been asking for their fair share and equal input, but have only continued to be ignored.

Well, Mr. Speaker, this is what we mean when we talk about respect and the lack of it on the part of the provincial government.

These people in the North need equal employment opportunities. They need adequate housing. They need safe and secure communities. They need to be able to break the welfare cycle and the problems that are associated with it. Mr. Speaker, how can any of this ever happen if the people of the North continue to be ignored, forgotten, and simply used?

I sincerely hope as the Bill moves through the House that the government will commit to looking into the issues that have caused the greatest amount of concern, not only for the forest industries, but for the people who depend on renewable forest resources for day-to-day living and the people who enjoy forests for many centuries.

With this in mind, I look forward to challenging the minister on the many aspects of this Bill in Committee of the Whole. Thank you.

Some Hon. Members: Hear, hear!

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

The Assembly adjourned at 4:59 p.m.

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